

# Public Document Pack

## NORTH LINCOLNSHIRE COUNCIL

### PLANNING COMMITTEE

6 March 2024

**Chairman:** Councillor Nigel John  
Sherwood

**Venue:** Church Square House,  
High Street,  
Scunthorpe

**Time:** 2.00 pm

**E-Mail Address:**  
tanya.davies@northlincs.gov.uk

### AGENDA

1. Substitutions
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests, significant contact with applicants, objectors or third parties (Lobbying) and Whipping Arrangements (if any).
3. To take the minutes of the meetings held on 7 February 2024 as a correct record and authorise the chairman to sign. (Pages 1 - 12)
4. Planning and other applications for determination by the committee. (Pages 13 - 14)
  - (a) PA/2022/946 Planning permission for change of use of piggery buildings to storage and distribution at Sandhouse Farm, Broughton Road, Appleby, DN15 0DA (Pages 15 - 42)
  - (b) PA/2022/2059 Listed building consent for the erection of a single-storey rear extension together with necessary ancillary works for conversion of Grade II listed dovecote/stables and carriage house to residential use (Use Class C3) at Tetley House, Tetley, Crowle, DN17 4HY (Pages 43 - 56)
  - (c) PA/2023/1194 Planning permission to vary condition 2 of PA/2022/510 namely to change the roof space into first-floor accommodation at Kerrow Moar, Lidgett Close, Scawby, DN20 9AW (Pages 57 - 66)
  - (d) PA/2023/1339 Advertisement consent for one externally illuminated fascia sign and window vinyls at 9 High Street, Kirton in Lindsey, DN21 4LZ (Pages 67 - 74)

- (e) PA/2023/1583 Hybrid application comprising full planning permission to partially demolish, rebuild and convert existing farm buildings to form 3 new dwellings with new access, and outline planning permission to erect 4 new dwellings with new access (access, appearance, landscaping, layout and scale reserved for subsequent consideration) at Whaplate Farm, West View, Messingham, DN17 3PF (Pages 75 - 106)
  - (f) PA/2023/1600 Planning permission for a replacement dwelling at Langley Cottage, Main Street, Howsham, LN7 6LE (Pages 107 - 122)
  - (g) PA/2023/1602 Planning permission for two-storey extension and single-storey extension to form an orangery and erect an attached garage at Pademoor Cottage, unnamed road between Crowle and Luddington via Leam House, Eastoft, DN17 4PZ (Pages 123 - 132)
  - (h) PA/2023/1635 Planning permission to construct four military aeroplane metal sculptures mounted on a lattice steel support and a dragon metal sculpture mounted on top of the flat roof of the car port at 25 Woods Meadow, Hibaldstow, DN20 9ES (Pages 133 - 140)
  - (i) PA/2023/1636 Outline planning permission to erect a new dwelling with all matters reserved for subsequent consideration on Land at 1 The Avenue, Burton upon Stather, DN15 9EX (Pages 141 - 154)
  - (j) PA/2023/1785 Planning permission to erect a single-storey side extension at Beechcroft, 1 Colleywell Close, Westwoodside, DN9 2RD (Pages 155 - 164)
  - (k) PA/2023/1862 Planning permission for (retention of) barn conversion at The Burrow, Bonnyhale Road, Ealand, Scunthorpe, DN17 4DF (Pages 165 - 180)
  - (l) PA/2023/1975 Planning permission to erect a two-storey side and rear extension and alterations at 3 Belton Gate Villas, Belton Road, Epworth, DN9 1JW (Pages 181 - 192)
5. Any other items, which the chairman decides are urgent, by reasons of special circumstances, which must be specified.

**Note: All reports are by the Group Manager - Development Management and Building Control unless otherwise stated.**

## NORTH LINCOLNSHIRE COUNCIL

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7 February 2024

**PRESENT:** - N Sherwood (Chairman)

N Sherwood (Chairman), C Ross (Vice Chairman), Bell, M Grant, D Southern, D Wells, C Sherwood and K Vickers

D Rose attended in accordance with Procedure Rule 1.37(b)

The meeting was held at the Church Square House, High Street, Scunthorpe.

2547 **SUBSTITUTIONS**

Cllr C Sherwood for Cllr Patterson and Cllr K Vickers for Cllr J Davison.

2548 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY).**

The following member declared a personal interest in the following application:

Cllr Rose - PA/2022/2125 - Chair of CPRE Northern Lincolnshire.

The following members declared that they had been lobbied on the following applications:

Cllr Rose – PA/2022/2125

Cllr Wells – PA/2022/443

2549 **TO TAKE THE MINUTES OF THE MEETING HELD ON 10 JANUARY 2024 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.**

**Resolved** – That the minutes of the meeting held on 10 January 2024, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

2550 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.**

2551 **PA/2022/443 PLANNING PERMISSION FOR THE INSTALLATION OF A SOLAR PHOTOVOLTAIC ARRAY/SOLAR FARM AND ASSOCIATED INFRASTRUCTURE AT SWEET BRIAR FARM, CARR ROAD, ULCEBY, DN39 6TX**

The Development Manager Lead gave a brief update on the application with

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suggested amendments to condition number 6 in the officer's report.

Three objectors addressed the committee stating that the land sloped directly into their properties and would have a detrimental affect on them, with the proposed screening no benefit to the village whatsoever. They stated that to no traffic management survey had been performed and was worried about the impact and safety it would have on the highway, along with drainage concerns and possibly flood risks. Another concern was the six-month construction traffic, with a blind bend part of the route and no passing places available.

The applicant then addressed the committee stating the need for renewable energy and outlining why he felt the existing infrastructure in the village could accommodate it, with suitable land along the circuit. He highlighted that environmental and archaeology studies had been carried out with no adverse findings. He felt that they had listened to the public in the area through several consultations and amended plans accordingly.

Cllr C Sherwood said he had benefited from holding a site visit and was astonished by the size of the area, and the amount of power it would be able to produce a year. He felt most concerns had been covered in the officer's report and conditions, but if he moved it, he would like to amend condition six.

Cllr Bell stated he had taken on the residents' concerns, and the poor quality of the road, but felt he had no grounds to refuse the application.

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report, with the amendment to the following condition:

No development, including enabling works, shall commence until a construction phase traffic management plan showing details of:

(i) analysis of all access routes to the site, including the preferred route to site and justification for this choice and how it will be enforced;

(ii) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;

(iii) all associated traffic movements, including delivery vehicles and staff/construction movements;

(iv) any abnormal load movements;

(v) contractor parking and welfare facilities;

(vi) storage of materials; and

(vii) traffic management requirements, including any required measures to minimise the impact of construction traffic on the highway network and the means of controlling the deposition of mud onto the adjacent highway, along



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with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved, the plan shall be implemented for the duration of the works, reviewed and updated as necessary.

- 2552 **PA/2022/850 PLANNING PERMISSION TO DEMOLISH EXISTING BUILDINGS TO REAR AND CONSTRUCT A TWO-STOREY/TWO-AND-A-HALF-STOREY REAR EXTENSION, WITH ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS TO CREATE 9 APARTMENTS AT 15 MARKET PLACE, BARTON UPON HUMBER, DN18 5DA**

Cllr Ross following the site visit stated she was surprised how dilapidated the building was at the back, and was in desperate need of tidying up.

Cllr K Vickers felt it was over development and had issues with the lack of parking, as did Cllr Grant.

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

- 2553 **PA/2022/908 LISTED BUILDING CONSENT TO DEMOLISH EXISTING BUILDINGS TO REAR AND CONSTRUCT A TWO-STOREY/TWO-AND-A-HALF-STOREY REAR EXTENSION WITH ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS TO CREATE 9 APARTMENTS AT 15 MARKET PLACE, BARTON UPON HUMBER, DN18 5DA**

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

- 2554 **PA/2022/1918 PLANNING PERMISSION TO ERECT TWO DWELLINGS WITH ASSOCIATED LANDSCAPING AT DONDOREEN, MARSH LANE, BARTON UPON HUMBER, DN18 5HF**

The agent addressed the committee stating that the proposal had been reduced from three to two dwellings, with a reduction in the height and moved back to cause minimal disruption to the residents as possible.

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

- 2555 **MAJOR PLANNING APPLICATIONS.**

- 2555a **PA/2023/1756 APPLICATION TO VARY CONDITION 1 OF PA/2022/2136 DATED 13/06/2023 TO AMEND HOUSE TYPES FOR PLOT 6 (SHOW HOUSE AND SALE FACILITY) AND PLOTS 70 AND 71 (SMALLER TWO-BEDROOMED HOUSES) ON LAND BETWEEN 57-71 BRIGG ROAD, MESSINGHAM, DN17 3QX**

The agent sought permission to amend 3 plots that had previously approved

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by committee and stated it would allow them to move the sales office into the site and reduce the size of several dwellings to allow the street scene to be finished. It would have no impact on the drainage system.

Cllr Poole spoke as the local Ward member and highlighted the development had over 100 properties with conditions listed previously, and just wanted to ensure that the site is developed as proposed and all conditions enforced.

Cllr C Sherwood sought legal clarification to ensure all the information was correct and was then happy to move the officer's recommendation.

**Resolved** - That planning permission be approved in accordance with the recommendations contained within the officer's report.

**2556 PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

**2557 PA/2022/2125 PLANNING PERMISSION TO ERECT A NEW FARM WORKER'S DWELLING AT BUTTERWICK GRANGE FARM, SAND ROAD, WEST BUTTERWICK, DN17 3LJ**

The agent urged the committee to approve this application to allow for 5<sup>th</sup> generation farming family to live on the land. He stated the business required rural workers to be able to live on the land for security reasons and to be onsite 24/7 for the agricultural needs. He stated there had been no objections from statutory consultees or residents and was situated in the countryside. The applicant had been unable to find alternative accommodation nearby and felt that the applications met the needs of the local and national planning policies.

Cllr Rose spoke as the local Ward member in support of the application and felt it met essential planning requirements and was also essential to meet the needs of the business.

Cllr C Sherwood said whilst it was in the open countryside it was planned to be within a complex of buildings, and in conclusion did not result in an alien form if it came with an agricultural tie.

It was moved by Cllr C Sherwood and seconded by Cllr Ross –

That planning permission be approved with the following conditions –

1.

The development must be begun before the expiration of three years from the date of this permission.

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Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

1162 01B, 1162 02F and 1162 03E.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No above-ground works shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

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6.

All the approved landscaping shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To define the terms of the permission and to enhance the appearance of the development in the interests of amenity.

7.

Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (2015), or any order re-enacting that order with or without modification, no extensions or alterations shall be made to the dwelling or any buildings or enclosures shall be erected on the site other than those expressly authorised by this permission.

Reason

To protect the historic landscape in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

8.

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

Permission is granted only after taking account of the particular business needs involved and therefore as an exception to policies CS3 of the North Lincolnshire Core Strategy and RD2 of the North Lincolnshire Local Plan.

9.

The development shall be carried out in accordance with the submitted flood risk assessment prepared by RM Associates, November 2022 Version 1 and the following mitigation measures it details:

- Finished floor levels for all living accommodation shall be set no lower than

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4.35 metres above Ordnance Datum (mAOD)

- Flood resilience measures shall be implemented in construction as detailed in the section titled Flood Protection.

These mitigation measures shall be fully implemented prior to occupation and subsequently be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants, in accordance with policy CS19 of the North Lincolnshire Core Strategy 2011 and the North and North East Lincolnshire Strategic Flood Risk Assessment June 2022.

10.

The ground floor of the property hereby approved shall be used as garages, utility and hallway only as annotated on approved drawing 1162-02-D and for no other, habitable accommodation at any time.

Reason

To ensure there is no sleeping or vulnerable living accommodation below 4.35m AOD, to protect the inhabitants of the property from the risk of flooding, in accordance with policy CS19 of the North Lincolnshire Core Strategy 2011 and the North and North East Lincolnshire Strategic Flood Risk Assessment June 2022.

11.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by the North Lincolnshire Historic Environment Record and shall include details of the following:

(i) measures to ensure the preservation by record of archaeological features within the footprint of the development

(ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts

(iii) post-fieldwork methodologies for assessment and analyses

(iv) report content and arrangements for dissemination, and publication proposals

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(v) archive preparation and deposition with recognised repositories, including the ADS

(vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy

(vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works

(viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

**Reason**

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

12.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least 7 days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

**Reason**

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

13.

The dwelling shall not be occupied until any post-investigation assessment has been commissioned in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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Reason

To comply with paragraph 205 of the NPPF, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan

14.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within six months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

15.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

16.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority.

These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan.

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Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Motion carried.

**2558 PA/2023/694 PLANNING PERMISSION TO ERECT A NEW DWELLING (INCLUDING DEMOLITION OF EXISTING SHOP) AT 19 DONCASTER ROAD, GUNNESS, DN15 8TG**

An objector stated that the proposal was too large for the plot, there would not be sufficient space to even erect the scaffolding required, and it would have a detrimental impact on the area. It would result in their loss of privacy.

Cllr Ross stated she knew the site well and anything would be better than what was currently there, and the proposal would overcome the eyesore that is there.

Cllr Bell had concerns for the residents from overlooking and would have liked to have seen a condition for a hedge or a wall to be erected.

**Resolved** – That planning permission be approved as outlined in the recommendations contained within the officer's report.

**2559 PA/2023/1051 PLANNING PERMISSION FOR CHANGE OF USE FROM AGRICULTURAL BUILDING TO SELF-CONTAINED DWELLING, INCLUDING DEMOLITION OF EXISTING STORAGE BUILDING AT SWINSTER LANE, EAST HALTON, DN40 4NR**

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

**2560 PA/2023/1720 PLANNING PERMISSION TO ERECT A GARAGE AT THE OLD STACKYARD, COMMONSIDE, WESTWOODSIDE, DN9 2AR**

The next-door neighbour spoke at the meeting and raised a number of concerns in relation to the application. He was concerned that the applicant would be using the proposed garage to house several classic cars, and to carry out repairs on them in the garage next to his property. This would have a detrimental affect on their lives from the possible noise and fumes that might occur.

The applicant stated that all the neighbouring properties had garages with driveways running down the side of the houses, and this would be no different. He said he had quite a large plot of land and the new driveway would not run along the boundary. He stated it was not to restore any cars and any work require don his cars were carried out externally.



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Cllr C Sherwood felt the application submitted was for a residential garage and in that the applicant can use the garage for his cars and was a large enough plot to accommodate the proposals.

It was moved by Cllr C Sherwood and seconded by Cllr Ross –

That planning permission be approved in accordance with the recommendations contained within the officer's report.

It was then moved by Cllr Southern and seconded by Cllr Bell as an amendment: –

That a site visit be held before a decision is taken –

**Amendment Lost.**  
**Substantive Motion Carried.**

2561 **PA/2023/1749 PLANNING PERMISSION TO ERECT AN ANNEXE AT AMCOTTS GRANGE COTTAGE, ACCESS ROAD TO AMCOTTS GRANGE COTTAGE, AMCOTTS, DN17 3EZ**

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

2562 **PA/2023/1933 PLANNING PERMISSION TO ERECT A NEW DWELLING AT LAND OFF BRIGG ROAD, WRAWBY, DN20 8RH**

**Resolved** – That planning permission be approved in accordance with the recommendations contained within the officer's report.

2563 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**

No other business.

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## NORTH LINCOLNSHIRE COUNCIL

### PLANNING COMMITTEE

#### PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

#### 1. OBJECT

- 1.1 To inform the committee about planning applications and other associated matters falling within its terms of reference which are ready for determination.

#### 2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

#### 3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 References to standard time limit conditions and standard outline conditions mean the conditions automatically applied by sections 91 and 92 of the Town and Country Planning Act 1990.
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

#### 4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

## 5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

### DEVELOPMENT MANAGEMENT LEAD

Church Square House  
30–40 High Street  
SCUNTHORPE  
DN15 6NL

Reference: RL/JMC/Planning committee 06 March 2024

Date: 26 February 2024

#### **Background papers used in the preparation of this report:**

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

#### **Statement of publication's purpose**

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<b>APPLICATION NO</b>	<b>PA/2022/946</b>
<b>APPLICANT</b>	Mr T Cook, T W Cook Ltd
<b>DEVELOPMENT</b>	Planning permission for change of use of piggery buildings to storage and distribution
<b>LOCATION</b>	Sandhouse Farm, Broughton Road, Appleby, DN15 0DA
<b>PARISH</b>	<b>APPLEBY</b>
<b>WARD</b>	Burton upon Stather and Winterton
<b>CASE OFFICER</b>	Daniel Puttick
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Appleby Parish Council Member 'call in' (Cllr Janet Lee – significant public interest)

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 6 Building a strong, competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change
- 16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

- RD2 Development in the open countryside
- RD6 Re-use and/or adaptation of rural buildings for industrial and commercial uses in the open countryside
- T2 Access to development
- T19 Car parking provision and standards

DS1 General requirements

DS14 Foul sewage and surface water drainage

DS16 Flood risk

HE8 Ancient monuments

HE9 Archaeological evaluation

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS11 Provision and distribution of employment land

CS17 Biodiversity

CS18 Sustainable resource use and climate change

CS19 Flood risk

CS25 Promoting sustainable transport

**Housing and Employment Land Allocations DPD:**

Settlement boundary for Appleby

**Appleby Neighbourhood Plan:**

AP1 Sustainable development

AP2 Design principles

AP5 Development of the rural economy

AP6 Development of redundant buildings in the countryside

AP11 Natural environment

AP13 Protection, conservation and enhancement of the Appleby conservation area

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 Spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

DQE1 Protection of landscape, townscape and views

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport

T3 New development and transport

DM1 General requirements

EC6 Supporting the rural economy

HE1 Conserving and enhancing the historic environment

## **CONSULTATIONS**

**Highways:** There are no safety or capacity issues in the vicinity of the site so the traffic generated is not anticipated to have an adverse impact on the highway network. Concerns about potential conflicts between vehicles trying to exit the site and Demeter House School are unlikely to be an issue as there will only be a small number of vehicles leaving the application site in the morning peak hour. Vehicles departing from the school site in the afternoon will occur outside of the evening peak hour, and again departures from site during this time are predicted to be on the low side. Proximity of the site access to Santon Lane is not an issue. The highway authority recommends conditions be imposed in the event that permission is granted, including one to secure precise details for the vehicular access.

**Environmental Protection:** Following receipt of additional information to address concerns raised in relation to noise impacts of the development, the Environmental Protection team recommends conditions be imposed in the event that planning permission is granted. These include:

- the planning use class shall be restricted to B8 (Storage and distribution) only
- a written noise management plan to be submitted to include operational hours, hours of vehicle movements, vehicles to be driven in a quiet manner, road surfaces to be maintained and free from potholes, inclusion of white noise reverse alarms for vehicles operating on site and any other noise mitigation measures.
- restriction on vehicle maintenance on the site

- restriction on installation of fixed plant for extraction, refrigeration, ventilation, air conditioning and other uses unless details have been submitted to and approved in writing by the local planning authority, with such details to be accompanied by appropriate assessment of noise impacts
- restriction on storage of refuse derived fuel on the site.

Conditions are also recommended to deal with potential contamination found during the development of the site, to restrict working hours and secure a construction environmental management plan to address construction noise, vibration, light, dust and air quality.

**LLFA Drainage:** No objections subject to conditions to secure a detailed surface water drainage scheme for the site. Informatives are also recommended.

**Anglian Water:** As there is no connection to Anglian Water sewers, no comments.

**Humberside Police:** No objections.

**Network Rail:** No objections subject to conditions to secure details of boundary fences and vehicle incursion measures, and to control external lighting so as not to impact on the safety, operational needs and integrity of the railway.

**Archaeology:** An archaeological evaluation report has been submitted with field evaluation comprising excavation of sample trial trenches around the site. No significant archaeological features were identified within the excavated trenches, although a proposed trench adjacent to Roman Ermine Street was unable to be excavated due to overhead lines. Conditions are recommended to secure a programme of monitoring and recording during groundworks associated with the construction of the site access and road.

The application site is within the setting of Thornholme Priory Scheduled Ancient Monument and the previously submitted heritage statement confirms intervisibility from the monument to the site. The proposed development will give rise to traffic (HGV) movements and vehicle storage around the site as well as potential noise, odours and dust that may harm the ability to appreciate the setting and significance of the monument. These potential effects have not been fully assessed in the heritage statement, but any harm would be in the less than substantial category.

**Ecology:** The site comprises widespread and commonplace habitats. The ecology survey found no evidence of, and little potential for, bats, nesting birds, badgers, great crested newts and hedgehogs. Planning conditions are recommended to minimise harm to protected species and secure net gains for biodiversity.

## **PARISH COUNCIL**

Appleby Parish Council objects to the application. Concerns are raised about the location of the proposed development, which they feel would be better sited in an urban environment and that the existing farm is intended to be sold on for this industrial process. The parish council considers that the increase in traffic at that location, where the new road is, exactly opposite the driveway into and out of Deter House, affecting their amenity and creating a possible accident zone, and very close to the T-junction for Santon Lane, would also create a hazardous situation.



Comments highlight discrepancies between the Transport Statement and Air Quality Assessment, and indicate that the additional traffic movements would increase Santon traffic by some 30%, with traffic through Appleby village increased too. The parish council highlights that the Transport Assessment fails to mention a fatal accident on Dawes Lane and therefore believes the assessment is flawed.

They highlight that they have already negotiated a traffic management plan with local industries from the steelworks to alleviate traffic through the parish, and indicate that this development proposal increases the potential traffic.

The parish council considers the proposals are contrary to policies AP5, AP6 and AP7 of the Appleby Neighbourhood Plan.

## **PUBLICITY**

A site notice has been displayed and one letter of objection has been received from Demeter House School, raising safety concerns about the increase in traffic volumes associated with the development. The objection identifies that the school caters for students with special educational needs from seven different local authority areas, and as such all the students are brought into the site by taxis.

The comments from the school highlight that there have been issues associated with limited site space for taxis to use during drop off/pick up times, resulting in the school having to build additional parking space for staff and implement a one-way system onto and off the site. The exit point for this system would be directly opposite the proposed new access road which the school considers poses a collision risk for taxis and staff leaving the site.

Concerns are also raised in relation to potential impacts upon pupils with sensory difficulties, the objection indicating that the increase in additional noise and sensory stimulation would be difficult to manage.

The school urges that the additional needs of students and the traffic flow to and from the school site are taken into account before a decision is made.

## **ASSESSMENT**

### **Planning history**

- 7/1981/0581: Change the use of existing agricultural buildings and erect new buildings in connection with an intensive pig breeding unit – approved 27/08/1981
- 7/1984/0311: Erect extensions to existing pig breeding unit – approved 05/07/1984
- 7/1989/0989: Erect a portal frame building to house pigs – approved 06/04/1990
- 7/1990/0572: Erect two farrowing houses one flat-deck house, covered sow yards and one covered grower yard house for pig farming – approved 10/11/1994
- PA/2009/0865: Application for determination of the requirement for prior approval for an agricultural building – prior approval not required 17/08/2009
- PA/2014/0813: Planning permission to replace four existing portable pig houses with three new portable pig houses – approved 03/11/2014

PA/2019/1203: Application for prior notification for the erection of an agricultural building – prior approval not required 07/08/2019

### **Site characteristics**

The application site comprises the existing piggery buildings at Sandhouse Farm, situated in the countryside to the south of the settlement of Appleby. The farm is accessed via a track leading from the B1207, and measures approximately 250 metres in length. The farm incorporates a number of substantial agricultural buildings used for the rearing of pigs, with the site containing ancillary feed equipment, hoppers and other agricultural apparatus.

The site is bounded by agricultural fields to the west set behind mature hedgerows lining the B1207, and the railway line to the east. A large area of woodland lies immediately south, with a mature row of trees lining the driveway from the adopted highway to the farm.

Demeter House School lies immediately west of the B1207 and directly opposite the existing access to the site. A collection of properties lies approximately 300 metres north-west of the site, with a farm beyond the woodland to the south-east.

Thornholme Priory, a scheduled ancient monument, is located beyond the railway line in fields approximately 800 metres to the east of the site. The site is in an area of archaeological interest associated with this feature.

The application site is wholly within flood zone 1 and is therefore at a low risk of flooding.

### **Proposal**

Planning permission is sought for the demolition of existing barns at the site and the change of use of retained barns to provide storage and distribution warehousing, with associated parking. A total of 11 buildings are identified for demolition, with 10 barns retained on site. A new access is proposed to serve the proposed development which would be to the north of the existing access into the site, slightly offset from Santon Lane.

The development would provide a total of 7234 square metres of storage and distribution warehousing with associated access and 7.3 metre wide roadway leading into the site enclosed by 1.2 metre high post and rail fence.

### **Material considerations**

Planning permission is sought for the demolition of buildings on the site and the change of use of those retained from agricultural use to storage and distribution warehousing, with associated hardstanding, parking and turning areas, and construction of a new access road leading from the B1207.

### **The main issues in the determination of this application are:**

- **principle of development**
- **highway safety**
- **amenity and public safety**
- **design and heritage impacts**

- **ecological impacts**
- **flood risk and drainage.**

### **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Appleby Neighbourhood Plan also forms parts of the development plan for applications in this area.

Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The application site comprises existing farm buildings within the open countryside to the south of Appleby. Policy RD2 of the local plan seeks to restrict development in the open countryside. The policy identifies a limited number types of development for which planning permission will be only be granted, one of which is for employment-related development appropriate to the open countryside.

Policy RD6 of the local plan supports the change of use and/or adaptation of rural buildings in the open countryside for industrial and commercial uses subject to a number of criteria, including:

- (i) The building is of substantial and permanent construction and is capable of conversion without major alteration; and
- (ii) The proposal will not create a need for new buildings to house those activities displaced by conversion; and
- (iii) The conversion does not lead to dispersal of activity on such a scale as to prejudice settlement vitality; and
- (iv) The general design of the conversion is in keeping with the buildings and any extension should respect the scale and appearance of the original building; and
- (v) The development will not lead to the loss of habitat for protected species.

Policy CS1 of the Core Strategy provides the spatial framework for the distribution of development throughout North Lincolnshire, and indicates that in the countryside support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings.

Through policy CS3 of the Core Strategy the council has identified development limits for settlements across North Lincolnshire. The policy states that development outside these defined boundaries will be restricted to that which is essential to the functioning of the countryside, and that this will include uses such as those related to agriculture, forestry or other uses which require a countryside location or that will contribute to the sustainable development of the tourist industry.

Policy AP5 of the Appleby Neighbourhood Plan indicates that proposals promoting the sustainable diversification of the rural economy will be supported through:

- a. the retention or expansion of existing agricultural and other businesses;
- b. the re-use of suitable buildings for employment generating uses in villages, and their re-use in the countryside in accordance with the provisions of policy AP6;
- c. the provision of live-work units and small-scale business units;
- d. the construction of well-designed new buildings in association with existing buildings to assist in the diversification of the agricultural holding to sustain its viability, or to assist in the expansion of an existing business;
- e. appropriate tourism-related initiatives;
- f. recreation uses appropriate to a countryside location; and
- g. new specialist and leisure-related retail businesses, including farm shops and artisan craft units, will be supported where such developments would provide support for the rural economy and could not reasonably be expected to locate within the development limits.

Policy AP6 of the Neighbourhood Plan supports proposals for the conversion or re-use of redundant or disused buildings in the countryside for:

- a. a farm shop selling locally produced or manufactured produce;
- b. a restaurant or café;
- c. artisan-style food or traditional rural craft workshops (including live-work units);
- d. artist studio and gallery;
- e. the diversification of agricultural or other land-based rural businesses; or
- f. the provision or expansion of tourist and visitor facilities.

It goes on to state that the buildings to be converted or re-used should be of a construction suitable for the proposed development without the need for major, additional construction works, and that any proposals should:

- g. lead to the enhancement of the immediate setting;
- h. be in keeping with the scale, form and character of its surroundings – paying close attention, where practicable, to policy AP2;
- i. provide adequate car parking for the enterprise; and
- j. provide safe and suitable access to the site.

The development involves the demolition of a number of buildings on the site and change of use of those retained to provide storage and distribution warehousing, a use which is supported through policies RD2 and RD6 of the local plan.

Policy RD2 of the local plan is explicit in the extent of support for certain forms of development within the countryside, one of which is for employment-related development appropriate to the open countryside.

The supporting information provided with the application demonstrates that the buildings are of permanent and substantial construction, and through discussions with the applicant it is apparent that the proposals will not displace current activities and will therefore not impose pressure on the countryside to accommodate the existing uses on the site. Other technical matters raised through policy RD6 are considered elsewhere in this report; however, in terms of establishing whether or not the principle of the development is acceptable, it is officer's advice that the proposed re-use of the buildings for commercial use would comply with the aims of policies RD6 of the local plan and CS1 of the Core Strategy.

Policies in the Appleby Neighbourhood Plan support small-scale proposals for the re-use of buildings for commercial purposes. Unlike the wording of policy RD2 of the local plan, the policy does not limit support to those uses referred to within the policy, and as such those uses should not be treated as forming a closed list. It is considered that the intention of the policy is to encourage certain forms of development in rural areas which would be of benefit to the neighbourhood area, rather than prevent certain forms of development from taking place. This view is supported by the wording of policy AP5 of the neighbourhood plan, which indicates that the re-use of suitable buildings for employment-generating uses in villages and their re-use in the countryside in accordance with the provisions of policy AP6 is acceptable.

On this basis, members are advised that the re-use of existing buildings for commercial use to provide storage and distribution warehousing would be acceptable. The development would provide employment opportunities which the neighbourhood plan recognises at paragraph 5.43 are likely to be limited to development utilising redundant agricultural buildings given proximity of the parish to major centres of employment.

The principle of the development is therefore considered to be acceptable in accordance with policies RD2 and RD6 of the North Lincolnshire local plan, policies CS1 and CS11 of the North Lincolnshire Core Strategy, policies AP5 and AP6 of the Appleby Neighbourhood Plan and the aims of the NPPF.

### **Highway safety**

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the local plan states that all proposals should be provided with a satisfactory access. Policy T19 relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 of the Core Strategy is also relevant and seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

Paragraph 114 seeks, amongst other requirements, that developments ensure safe and suitable access to the site can be achieved for all users. Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

One of the main concerns raised in respect of this application is the potential impact on highway safety, primarily from the anticipated increase in vehicular movements to and from the site, and the proposed construction of a new access to serve the completed development.

The highway authority has been consulted on the application and highlights that there are no safety or capacity issues in the vicinity of the site. In light of this, whilst it is acknowledged that the change in the use of the site for storage and warehousing would be likely to increase movements to and from the site, the increased traffic is not anticipated to have an adverse impact upon the highway network.

A new access is proposed to serve the development. This would be located north of the existing access to the farm, which would be retained for use by the farmhouse. The new access would be situated in a position offset to the south of the junction between Santon Lane and the B1207.

The objection from Demeter House School notes the implementation of a one-way system, which officers understand involves vehicles entering the school site from Santon Lane and exiting onto the B1207. The location of this access point from the school onto the B1207 is opposite the existing access into the farm. The new access to the development would be opposite and a short distance north of the school exit point. As a result, the development would give rise to a series of access points along the highway in succession. Concerns are raised about possible conflicts with vehicles trying to exit from these points simultaneously.

The highway authority notes that the number of vehicles leaving the application site during the morning peak hour is predicted to be low, and that vehicles leaving the school site would be outside the evening peak hour when vehicular movements from the site are also predicted to be low. As a result, the potential for conflicting vehicular movements is unlikely, with supporting information suggesting that as few as 10 HGV trips would be made daily to the site amongst the 363 anticipated two-way vehicle trips from the site.

The access benefits from good visibility to the north and south, and vehicle speeds in this section of the highway are restricted to 40mph. Santon Lane leads to High Santon and continues all the way to Scunthorpe via Dawes Lane; however, only a short section of the route is adopted highway and the route is therefore not always accessible to all road users. Vehicular movements along this route are generally low and therefore potential for conflicts between users of this junction and traffic associated with the development is unlikely.

The highway authority advises that design guidance has changed and now allows more flexibility on spacing between junctions, rather than rigidly adhering to stopping sight distances. In this instance, for reasons set out above, on the advice of the highway authority the succession of accesses and junction between Santon Lane/B1207 would not give rise to adverse safety risks for road users. In addition to the visibility along the highway from the accesses in this location, vehicles attempting to enter the adopted road network from the site would have good visibility of those seeking to undertake similar manoeuvres on the opposite side of the road. With the low number of movements during times when vehicles will be entering/leaving the school site, the overall safety risk is considered to be low.

Having regard to the above, it is considered that the development would be served by a suitable access in accordance with the requirements of policy T2 of the North Lincolnshire Local Plan. Adequate parking would be provided within the site to accommodate the parking requirements of the proposed storage and distribution warehousing. Subject to accordance with conditions as recommended by the highway authority, the proposed development would

not be considered prejudicial to road safety and would be acceptable in accordance with policies T1, T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy and the aims of the NPPF.

### **Amenity and public safety**

Policy DS1 of the local plan seeks to secure a high standard of design in new developments, and states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking and overshadowing.

Policy DS11 of the local plan indicates that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Paragraph 135 of the NPPF seeks to ensure that new developments will function well, are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.

The application proposes the change of use of the buildings to storage and distribution warehousing, a use which has the potential to increase noise and disturbance primarily associated with large vehicular movements to and from the site. In doing so, the change would result in the loss of a use which can give rise to adverse impacts from noise and odour, as well as potential for some disturbance from vehicles travelling to and from the site.

The council's Environmental Protection team has carefully considered the proposed development and during the course of the application has sought the submission of additional information, particularly in relation to noise. The noise assessment has been updated during the course of the application process to address concerns raised by officers, and undertakes noise modelling at the closest receptors, including the school. The report confirms that acceptable internal noise levels can be achieved at these receptors in respect of suitable sleeping conditions and sound levels for schools.

In recognising the potential for disturbance associated with the development, the Environmental Protection team has recommended that conditions be imposed on the development to minimise noise disturbance. This would primarily be in the form of a noise management plan secured by conditions. The noise management plan would include details of timings on deliveries/collections at the site, opening hours and methods to reduce and minimise noise disturbance, incorporating mitigation measures recommended within the noise assessment.

Subject to accordance with such a condition and upon submission of satisfactory details outlining measures to control noise from the site, it is considered that noise would not give rise to adverse impacts upon nearby receptors, including the school. In addition to this, the change from agricultural use comprising of pig farming would see the cessation of a noise and odour generating use which would potentially be beneficial for nearby residential receptors, including students at the school. The proposals are considered acceptable in

respect of noise and odour issues in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

Network Rail have been consulted on the application and highlight potential safety considerations which should be taken into account in the determination of this application. These include a need to ensure adequate safety measures are in place to prevent vehicles inadvertently accessing the railway line and ensure light pollution does not pose a risk for train drivers. These measures are capable of being controlled by means of an appropriately worded condition, accordance with which would ensure public safety for operatives on the site and the safety and integrity of the rail network nearby.

### **Design and heritage impacts**

Core Strategy policy CS5 states, ‘...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy DS1 of the local plan states that a high standard of design is expected in all developments in both built-up areas and the countryside. Amongst other requirements, policy DS1 states that development must ensure the retention of those existing site features that make an important contribution to the character or amenity of the site or the surrounding area.

Policy RD2 of the local plan states that with regard to developments which are considered suitable within the open countryside, permission will be granted provided that, amongst other requirements, the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials. Policy RD6 of the local plan also requires that the general design of the conversion is in keeping with the buildings and any extension should respect the scale and appearance of the original building.

The proposed development concerns only the change of use of the buildings to be retained on the site. Supporting information demonstrates that they are of permanent and substantial construction and suitable for conversion to provide storage and distribution warehousing. In the absence of any external alterations to buildings retained at the site, design considerations are limited to the impacts arising from demolition of the existing buildings and the overall use of the site, taking account of proposed areas of hardstanding within the development to facilitate vehicle parking and turning areas.

The council’s HER officer has been consulted on the application and has considered the potential impacts on archaeological remains and the wider setting of the nearby Thorneholme Priory, a scheduled ancient monument and designated heritage asset.

Paragraph 203 of the NPPF states that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and



- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). The demolition of existing buildings would reduce the number of large agricultural buildings on the site.

Through policies DS1 and HE5 of the local plan, the council is seeking to ensure good design and the preservation, restoration and continued use of buildings of special architectural and historic interest. Policy CS6 of the Core Strategy promotes the effective management of North Lincolnshire's historic assets, and seeks to protect the character and setting of historic buildings.

Some concerns have been raised about the potential for the use of the site to impact upon the enjoyment and appreciation of the nearby heritage asset, with the heritage statement acknowledging intervisibility between the site and the monument. The HER officer notes that HGV movements and vehicle parking around the site, as well as potential noise, odours and dust, may harm the ability to appreciate the setting and significance of the asset.

Officers consider that, through the imposition of conditions to manage noise disturbance and restrict operational hours, the use of the site for storage and distribution warehousing would have no greater impact than the current use of the site for the rearing of pigs. A number of buildings are proposed to be demolished at the site which will increase its openness. As car parking is generally located close to existing buildings, it is likely that they will provide a backdrop in views. Given the topography of the area and screening from vegetation, it is unlikely that vehicles would be visible in views from the heritage asset, and as a result the changes are unlikely to give rise to adverse impacts upon its setting, or enjoyment and appreciation of its significance. For these reasons the proposals are considered acceptable in accordance with policies DS1 and HE5 of the local plan, CS5 and CS6 of the Core Strategy, AP6 of the Appleyby Neighbourhood Plan, and the aims of the NPPF.

The site is in an area of archaeological interest. Policy HE9 of the local plan indicates that where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment should be submitted prior to the determination of a planning application.

The application has been accompanied by an archaeological assessment which has been informed by on-site archaeological investigations through trial trenching in areas where the development would affect unmade ground. No features of archaeological interest were found during these investigations, however a proposed trench adjacent to Roman Ermine Street was unable to be excavated due to the presence of overhead lines.

The archaeological potential of the area closest to the Roman road therefore remains unknown; however, given the lack of any features elsewhere, it is considered that these risks can be mitigated through a programme of monitoring and recording during groundwork associated with the construction of the site entrance and access road. This is capable of being secured by means of an appropriately worded condition.

Subject to accordance with such a condition, the proposed development is considered to be acceptable in terms of its design and would not result in harmful impacts upon the setting or

significance of nearby heritage assets, or on archaeological remains in the area. The development is in accordance with policies DS1, HE5 and HE9 of the local plan, CS5 and CS6 of the Core Strategy, AP6 of the Appleby Neighbourhood Plan, and the aims of the NPPF.

### **Ecological impacts**

Policy CS17 of the Core Strategy states that the council will promote effective stewardship of North Lincolnshire's wildlife in a number of ways, including through ensuring development retains, protects and enhances features of biological and geological interest, and by ensuring development seeks to produce a net gain in biodiversity and ensuring any unavoidable impacts are appropriately mitigated for.

Policy AP11 of the Appleby Neighbourhood Plan seeks to ensure proposals for new development do not harm the existing network of local ecological features and habitats. It states that new development will be expected to maintain and enhance existing ecological corridors and landscape features for biodiversity.

The application has been supported by an ecological appraisal and biodiversity net gain metric. The survey results have been considered, with the council's ecologist noting that no evidence of, and little potential for, bats, nesting birds, badgers, great crested newts and hedgehogs was found during survey efforts.

The application site is immediate north of Keb Wood Local Wildlife Site (LWS); however, habitats recorded on site were all widespread, commonplace and of low biodiversity value.

The ecologist notes that, as with the above conclusions on odour, the cessation in the use of the site would be seen as a benefit in ecological terms. This stems from the cessation in the release of ammonia emissions from the piggery which would impact upon the nearby LWS.

The supporting ecological appraisal indicates that the development would result in net gains for biodiversity in the region of 30% for habitat units, and 184% for hedgerow units. With these measures in place, and through the use of appropriately worded conditions, the proposed development is capable of delivering net gains for biodiversity and would not impact upon protected species of wildlife.

Subject to accordance with a condition requiring the submission of a biodiversity management plan to deliver mitigation and biodiversity enhancement measures, the proposed development is considered to be acceptable in accordance with policies CS5 and CS17 of the Core Strategy, and policy AP11 of the Appleby Neighbourhood Plan.

### **Flood risk and drainage**

The application site is within flood zone 1 and is therefore at a low risk of flooding. The development comprises major development, and would see the demolition of existing buildings and the creation of areas of hardstanding providing parking for vehicles including HGVs.

Collectively, policies DS16 of the local plan and CS19 of the Core Strategy, which concern flood risk, seek to direct new development to areas at lower risk of flooding by avoiding areas of current or future flood risk, and seek to ensure proposals do not increase the risk of flooding elsewhere. Policy DS14 of the local plan also seeks to ensure that adequate drainage provision is made for new developments.

One of the objectives of the Appleby Neighbourhood Plan is to ensure that development is acceptable in planning terms with reference to design, scale, access, and drainage amongst other matters.

The development involves the provision of a package treatment plant to treat foul sewage from the development. The site is a considerable distance from the public sewerage network and given the relatively low levels of employees anticipated to be at the site at any one time, the Environment Agency considers this arrangement to be acceptable and raises no objections to the proposed development.

The LLFA/Drainage team has been consulted on the application and notes that detailed arrangements for the drainage of hard paved areas within the site have not been provided. However, no objections are raised and it is considered that these details can be secured by means of an appropriately worded condition attached to any permission granted. Subject to accordance with such a condition, the proposed development would not be considered to be at risk of flooding or give risk to potential flooding issues, and would make adequate provision for drainage and foul sewage in accordance with the requirements of policies DS14 and DS16 of the local plan, CS19 of the Core Strategy and the aims of the NPPF.

## **Conclusion**

The principle of the development is considered to be acceptable and would re-use redundant buildings at the site. The proposed provision of storage and distribution warehousing is an employment use which is supported by policies RD2 and RD6 of the North Lincolnshire Local Plan. policies in the neighbourhood plan are also supportive of employment uses within the countryside, and whilst policy AP6 provides a range of uses which are specifically supported, it does not seek to restrict or limit other uses for rural buildings within the neighbourhood area.

The proposed development has been assessed for its impact upon the safety of the highway network. There are no known safety issues in the vicinity of the site, and as such there are no objections raised by the highway authority in their response to this application, subject to the imposition of a number of planning conditions.

Similarly, noise, odour and disturbance issues have been assessed by the council's Environmental Protection officers and there are no objections raised on these grounds. Conditions are recommended to secure a noise management plan to ensure minimum disturbance for nearby receptors, including the school.

The development would deliver net gains for biodiversity, a matter which weighs in favour of the application. The development would also avoid harm to protected species, with conditions recommended to secure enhancement and mitigation measures outlined in supporting surveys.

There are no flooding risks associated with the site, and conditions can be imposed to secure adequate drainage arrangements to serve the development. In addition, the development would preserve the setting of nearby heritage assets, and conditions are recommended to secure a watching brief over excavations close to the nearby Roman road. Conditions are also recommended to protect the integrity of the adjacent railway line in the interests of public safety and operation of this infrastructure.

Subject to accordance with conditions outlined below, members are advised that planning permission be granted.

**RECOMMENDATION Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg No. 3 – Location Plan

Drg No. 2 – Proposed Site Layout.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration – The CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light – The CEMP shall set out the particulars of:

- (a) specified locations for contractors compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) the location of any temporary floodlights;
- (d) the identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust – The CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;

- (b) the identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) the provision of water to the site;
- (d) dust mitigation techniques at all stages of the development;
- (e) the prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a 'no burning of waste' policy.

Network Rail Asset Protection – The CEMP shall set out the particulars of:

- (a) construction methodology demonstrating consultation with the Asset Protection Project Manager at Network Rail;
- (b) measures to prevent impacts on operational railway safety;
- (c) details of earthworks and excavations required during the construction phase;
- (d) types of crane, plant and machinery to be used during construction;
- (e) confirmation of the requirement to enter into Basic Asset Protection Agreement (BAPA) with Network Rail to ensure safety of the operational railway during construction works.

#### Reason

To protect the amenity of nearby receptors and railway infrastructure during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

#### 4.

Construction, demolition, site clearance operations, site set up and equipment installation shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public holidays.

No HGV movements shall be made to or from the site outside of these hours during the construction phase of the development.

Reason

To protect the amenity of nearby receptors during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

5.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to any further development commencing on the site.

Reason

To protect human health and the amenity of nearby receptors during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

6.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy and the aims of the National Planning Policy Framework.

7.

The development hereby permitted shall not be brought into use until a written noise management plan (NMP) has first been submitted to and approved in writing by the local planning authority. Thereafter, the development shall operate in accordance with the approved NMP, unless otherwise agreed with the local planning authority. The NMP shall include as a minimum:

- (a) operational hours and opening times for all units;

- (b) restrictions on timings of deliveries and collections to units;
- (c) provision for inclusion of white noise reverse alarms for vehicles operating within the site;
- (d) provision to minimise noise from vehicles operating within the site, including provision for maintenance of road surfaces;
- (e) any other noise mitigation measures as appropriate.

Reason

To protect the amenity of nearby receptors, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

8.

The development hereby permitted shall be restricted to uses falling within Use Class B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall not be used for any other use unless planning permission has first been granted by the local planning authority.

Reason

To protect the amenity of nearby receptors, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

9.

No vehicle maintenance or repairs shall be undertaken on site at any time.

Reason

To protect the amenity of nearby receptors, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

10.

No goods, plant, machinery or other products associated with the development shall be stored externally at the site.

Reason

To protect the amenity of nearby receptors and the character and appearance of the area, in accordance with policies DS1, RD2, RD6 and DS11 of the North Lincolnshire Local Plan.

11.

No refuse derived fuel shall be brought onto or stored on the site.

Reason

To protect the amenity of nearby receptors, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

12.

The development hereby permitted shall not be brought into use until a scheme for trespass-proof boundary treatments have first been submitted to and approved in writing by the local planning authority. Thereafter, the trespass-proof boundary treatments shall be maintained

in accordance with the approved details and installed prior to the development being first occupied.

Reason

To protect the integrity of railway infrastructure.

13.

The development hereby permitted shall not be brought into use until a scheme for the inclusion of vehicle incursion measures to prevent vehicle incursion on operational railway lines have first been submitted to and approved in writing by the local planning authority. Thereafter, the vehicle incursion measures shall be maintained in accordance with the approved details and installed prior to the development being first occupied.

Reason

To protect the integrity of railway infrastructure.

14.

Notwithstanding the detail contained within the application, no external lighting shall be installed at the site unless details have first been submitted to and approved in writing by the local planning authority. Thereafter, any external lighting shall be installed and maintained in accordance with the approved details.

Reason

To protect the integrity of railway infrastructure, and the character and appearance of the area, in accordance with policy CS5 of the North Lincolnshire Core Strategy.

15.

The development hereby permitted shall not be brought into use until a scheme for the provision of surface water drainage has first been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run-off from the existing site. The scheme shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased.

The drainage scheme shall include details of measures to prevent surface water run-off from hard paved areas within the site onto the highway, and from the highway onto the site.

Once approved, the drainage scheme shall be implemented in full prior to first occupation of the buildings, and thereafter retained and maintained in accordance with the approved scheme.

Reason

To prevent the increased risk of flooding of the site, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, policies



CS18 and CS19 of the North Lincolnshire Core Strategy, and the aims of paragraphs 165 to 175 of the National Planning Policy Framework.

16.

No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy. The strategy shall be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by the North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the preservation by record of archaeological features within the application site (specifically at the site entrance and along the adjacent 50 metre length of the access road) and that may be affected by any BNG measures
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories, including the ADS
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy. The implementation of the archaeological mitigation strategy is required to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

17.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

18.

The permitted operation of the site shall not commence until any post-investigation assessment has been commissioned in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

19.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within six months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

20.

No development shall commence on construction of the access road until precise details for the proposed vehicular access have first been submitted to and approved in writing by the local planning authority. Thereafter, the access shall be installed in accordance with the approved details prior to the development being brought into use.

Reason

In the interests of highway safety, in accordance with policy T2 of the North Lincolnshire Local Plan.

21.

The development hereby permitted shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete, the vehicle parking, turning and servicing areas shall be retained.

Reason

In the interests of highway safety, in accordance with policy T2 of the North Lincolnshire Local Plan.

22.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network, in accordance with policy CS25 of the North Lincolnshire Core Strategy.

23.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network, in accordance with policy CS25 of the North Lincolnshire Core Strategy.

24.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support a variety of farmland birds;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) prescriptions for the planting and aftercare of native trees and mixed native hedgerows of high biodiversity value;
- (e) prescriptions for the creation and ongoing management of at least 0.53 hectares of species-rich and structurally varied neutral grassland;
- (f) details of wetland habitat to be created as part of sustainable drainage;
- (g) details to confirm that the measures proposed will provide a measurable net gain in in biodiversity value of least 1% in accordance with the Defra biodiversity metric 3.1;
- (h) proposed timings for the above works in relation to the completion of the access road.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

25.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the operation of the approved

access road, the applicant or their successor in title shall submit a report to the local planning authority providing evidence of compliance with the biodiversity management plan.

#### Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

#### **Informatives**

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

The developer's attention is drawn to the advice and informatives provided in Network Rail's response dated 26 September 2022. The developer is advised to contact Network Rail prior to commencing any development on site. Useful contacts provided by Network Rail are listed below:

##### *Asset Protection Eastern*

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk).

##### *Land Information*

For enquiries relating to land ownership enquiries, please email [landinformation@networkrail.co.uk](mailto:landinformation@networkrail.co.uk).

##### *Property Services*

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email [propertyserviceslneem@networkrail.co.uk](mailto:propertyserviceslneem@networkrail.co.uk).

3.

Our records indicate that the proposed development site is bounded by a watercourse on the southern boundary. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage team, by email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk) prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

4.

Alterations and/or connections into the watercourse must be consented by North Lincolnshire Council's LLFA Drainage team, in their capacity as Lead Local Flood Authority through an ordinary watercourse consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team by email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk) for further

details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

5.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

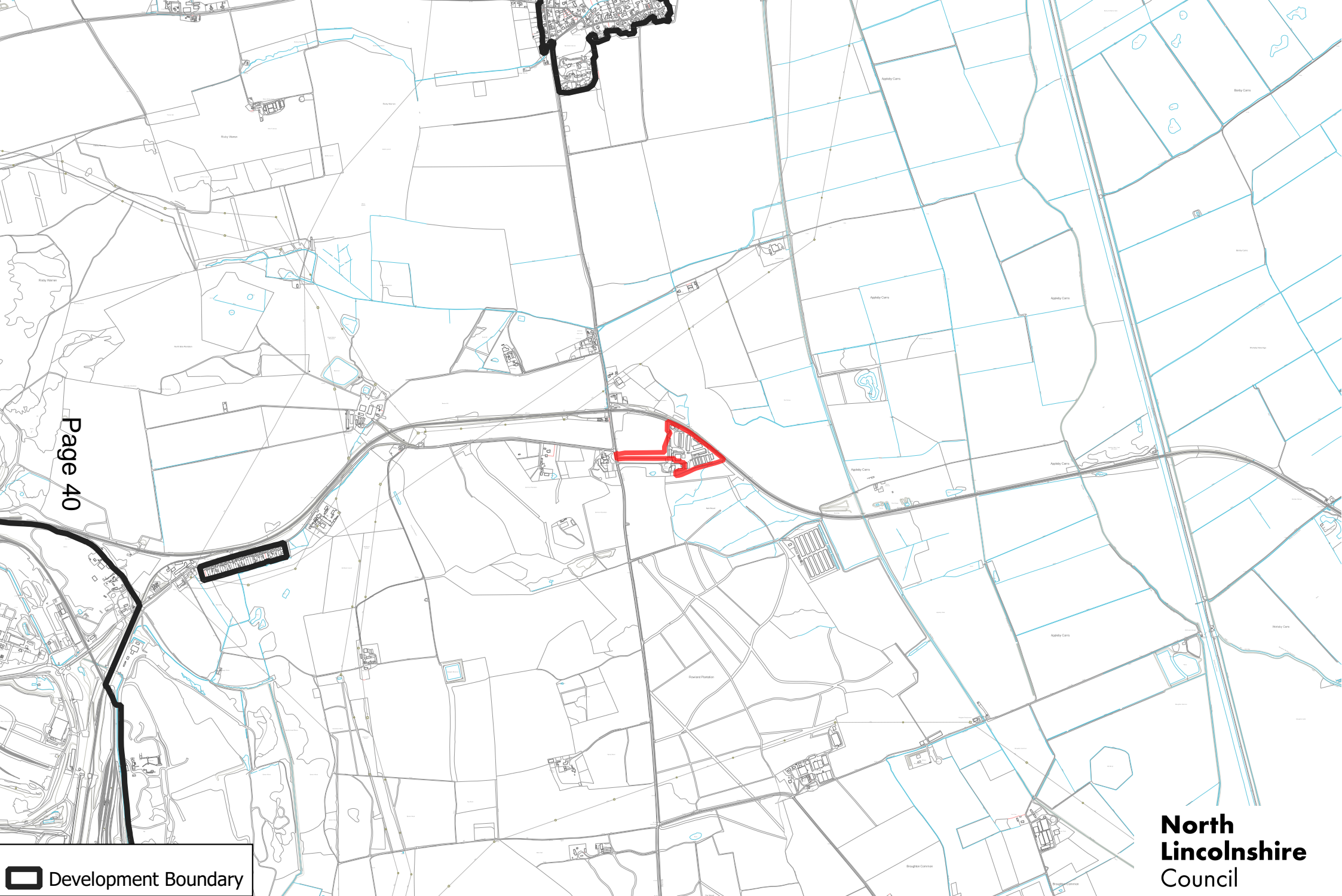
6.

*Access for the fire service*

It is a requirement of approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings. Where it is a requirement to provide access for high reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 24 tonnes.

*Water supplies for fire-fighting*

Adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high risk areas should be located at 90 metre intervals. Where a building which has a compartment of 280 square metres or more in the area is being erected more than 100 metres from an existing fire hydrant, hydrants should be provided within 90 metres of an entry point to the building and not more than 90 metres apart. Hydrants for low risk and residential areas should be located at intervals of 240 metres.



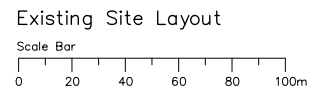
Development Boundary

Development Boundary

# PA/2022/946 Existing layout (not to scale)

All Dimensions Shall be Checked on Site by the Contractor Prior to Commencement of Work on Site. Do Not Scale If in Doubt Ask.

Page 41

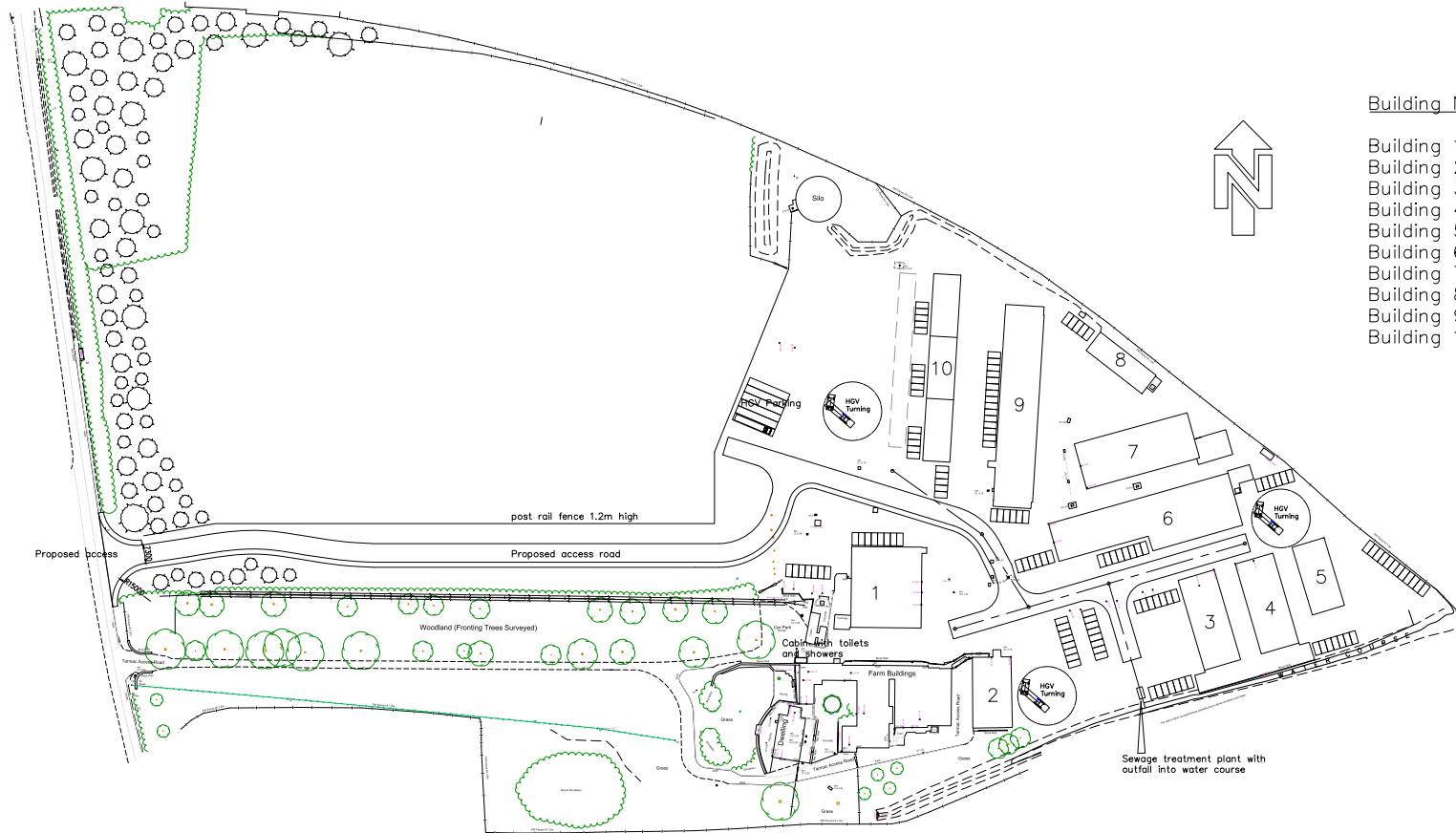


Revisions	Date			
<b>Robert Farrow (Design) Ltd</b> Architecture : Planning : Construction Topographical Surveys Millar House, 32 Northgate, Hessle, East Riding of Yorkshire, HU13 9AA Tel : 01482 640699 E-mail: rfd@farrow.karoo.co.uk				
<b>Client: T W Cook Ltd</b>				
<b>Title: Topographical Survey</b> Sandhouse Farm Broughton Road Appleyby Scunthorpe, DN15 0DA				
Scale	Drawn by	Dwg no.	Date	Contract no.
1:1000	R	1	Nov21	21083

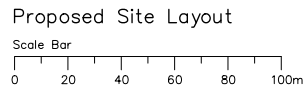
# PA/2022/946 Proposed layout (not to scale)

All Dimensions Shall be Checked on Site by the Contractor Prior to Commencement of Work on Site. Do Not Scale If in Doubt Ask.

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Building No	Building Floor Area
Building 1	879sqm
Building 2	435sqm
Building 3	543sqm
Building 4	564sqm
Building 5	365sqm
Building 6	1338sqm
Building 7	844sqm
Building 8	254sqm
Building 9	1228sqm
Building 10	784sqm



Revisions	Date			
<b>Robert Farrow (Design) Ltd</b> Architecture : Planning : Construction Topographical Surveys Millar House, 32 Northgate, Hessle, East Riding of Yorkshire, HU13 9AA Tel : 01482 640699 E-mail: rfd@farrow.karoo.co.uk				
<b>Client: T W Cook Ltd</b>				
<b>Title: Proposed Site Layout</b> Sandhouse Farm Broughton Road Appleyby Scunthorpe, DN15 0DA				
Scale	Drawn by	Dwg no.	Date	Contract no.
1:1000	R	2	Nov21	21083



<b>APPLICATION NO</b>	<b>PA/2022/2059</b>
<b>APPLICANT</b>	Mr Mark Wall, NPP Properties Ltd
<b>DEVELOPMENT</b>	Listed building consent for the erection of a single-storey rear extension together with necessary ancillary works for conversion of Grade II listed dovecote/stables and carriage house to residential use (Use Class C3)
<b>LOCATION</b>	Tetley House, Tetley, Crowle, DN17 4HY
<b>PARISH</b>	<b>CROWLE</b>
<b>WARD</b>	Axholme North
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Crowle Town Council

## **POLICIES**

### **National Planning Policy Framework:**

- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed and beautiful places
- 16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

- DS1 General requirements
- RD2 Development in the open countryside
- RD9 Reuse and/or adaptation of rural buildings for residential use in the open countryside
- HE5 Development affecting listed buildings
- H5 New housing development
- T2 Access to development
- T19 Car parking provision and standards

### **North Lincolnshire Core Strategy:**

- CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Overall housing provision

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions were not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS11 Development limits

DM1 General requirements

TC2 Placemaking and good urban design

RD1 Supporting sustainable development in the countryside

HE1 Conserving and enhancing the historic environment

## **CONSULTATIONS**

**Highways:** No objection or comments.

**LLFA Drainage:** No objection or comments.

**Archaeology:** Objection – the change of use and proposed alterations would result in a high level of harm to the significance of these two listed buildings, notably the architectural, historic and archaeological interests of these non-domestic buildings. A programme of archaeological monitoring and recording should be undertaken during all groundworks to offset the harm to any archaeological remains that may be disturbed or destroyed by construction.

A written scheme of investigation (WSI) detailing the outstanding historic building recording, and the archaeological work to be undertaken should be submitted prior to determination of the planning application. Should the planning authority consider the proposals do not conflict with relevant conservation legislation and policy and be minded to grant consent, any

permission should be subject to conditions securing a programme of archaeological and historic building recording prior to and during any construction work.

**Conservation:** The existing buildings are in a considerable state of disrepair, and it is not viable to return them to their historic use given the separation from the dwelling these buildings were associated with. Conversion to residential will secure their future and enable the repairs and works required to secure the fabric of the building; this will come at the cost of the adaptation required to the buildings to achieve this from which there will be some minor harm to the significance of the building through physical alterations.

Proposed elevations – the principle of the extension is acceptable, and the amendment to include a green roof is welcomed over the previous iteration, as is the change from timber piers to brick reclaimed from site. It will have a modern appearance, however it will sit sympathetically against the pair of listed buildings.

New red pantiles are proposed for roof coverings, which is acceptable. Original copings will be consolidated and used in one location, and new copings to match elsewhere, providing a consistency to the finished appearance, is also acceptable. The rooflight will be inserted into a new roof structure; there is no loss of historic fabric and this will have limited impact. Details has been provided and these are acceptable without further information required.

Rainwater goods are noted on newly revised plans to be a cast aluminium variety which will ensure an appropriate appearance on the building – cast is required to minimise the number of sections which would be unsightly. A condition is required to provide further details of these prior to installation.

Proposed floor plans – there will be minor intervention into historic fabric to create openings into and out of the new extension, a minor level of harm balanced by securing the future of the building. Surviving flag stones on the floor surfaces will be consolidated and re-used. New floors will be required, and it is intended the walls will be insulated and plaster-boarded, which will result in a modern finish at odds with the historic character of these buildings and is a harmful change. The adaptation is necessary and the loss of character, which will be minor–moderate, should be judged against the public benefit of repairing the building and providing it a new use.

Areas of lath and plaster ceiling were noted on the site visit. It is noted that where these are repairable, they will be retained on the floor plan drawings. Within the setting of the building a wall is now proposed to bound the site, to be of reclaimed brick; this is acceptable subject to a condition for a sample panel of the brickwork to show pointing etc to ensure integrity of the design in the setting of the listed buildings. The lime mortar mix noted in the Design and Access Statement is appropriate and acceptable.

A solid fuel stove will be located to run the ventilation through an existing chimney and will not protrude beyond it, and as such will have no heritage impact.

The applicant has updated window details with the intended manufacturer to change the proposed windows from having applied glazing bars to having solid glazing bars, but otherwise mostly unchanged. This change is a small but important detail to create architectural integrity within the overall scheme of works at this property. The provision of the solid bar section detail is sufficient, in conjunction with the joinery schedule/quotation, to not require further planning conditions regarding the new windows/doors in this scheme.

**Ecology:** Works would result in harm to bat roosts. Consent can only be given if sufficient evidence is presented that the tests of European Protected Species (EPS) licensing are met.

Planning conditions are proposed to minimise harm to protected and priority species.

Hopefully, a net gain in biodiversity will be delivered through the biodiversity management plan submitted for PA/2019/930.

## **TOWN COUNCIL**

This council objects on the grounds that the original condition on this application, which stated the renovations of the Dovecote/stables and carriage house was to be carried out before building the new builds, has been disregarded. This building, standing from 1718, is a historic building for the Hamlet of Tetley, the loss of which would be detrimental to the area.

The original objection to this application is reiterated and stands. The loss of heritage and the applicant's previous refusal to adhere to the restrictions of the last application, and clear evidence that works have already commenced, show blatant disregard for the planning process and failure to comply with the terms of the previous instructions.

## **PUBLICITY**

A site notice has been displayed and two responses have been received objecting to the proposals and raising the following issues:

- informed by the owners these buildings would never be converted to residential use
- impact of additional traffic
- we were promised an executive gated community
- overlooking of neighbouring property
- domineering impact
- all windows are facing towards the objector's dwelling
- property not in keeping with existing and planned properties
- the existing properties are characterised by large plots with spacing in between
- cramming in of development and small dwelling
- no safe access to the site
- impact on pedestrian and highway safety
- insufficient off-street parking and turning provision
- increased level of flood risk which needs to be mitigated
- the existing buildings may contain asbestos.

## ASSESSMENT

### Planning history

- PA/2023/1559: Application to vary condition 3 of PA/2019/930 dated 23/10/2020 to read 'Prior to the occupation of the dwelling marked as plot 1' – approved with conditions 08/12/2023
- PA/2019/930: Planning permission to erect a replacement dwelling and two detached dwellings – approved with conditions 23/10/2020.
- PA/2019/1028: Listed building consent to repair and refurbish carriage house and stable/dovecote – approved with conditions 04/08/2022.
- PA/2023/1629: Application for a non-material amendment to PA/2019/930 dated 23/10/2020 namely to alter condition 7 as per the submitted Planning Statement dated 03 October 2023 – approved 13/10/2023
- PA/2021/2061: Planning permission to remove condition 13 of PA/2019/930 relating to ecology and biodiversity – approved with conditions 09/06/2022.

The application site comprises two listed buildings within the grounds of the listed building known as Tetley Hall. The two buildings are two-storey in height, are grade II listed and are linked by a wall in a north to south direction. The buildings are located to the south-east of Tetley Hall, in the open countryside, to the west of two modern residential properties. The buildings are in a visible state of disrepair and are constructed from red brick with red pantiles (Dovecote) and red brick with corrugated metal sheeted roof (Carriage house). Listed building consent is sought to repair and refurbish these listed buildings, together with a single-storey extension and other external alterations, to convert it to residential use.

**The main issue in the determination of this application is the impact on the setting and character of the listed buildings.**

### Listed buildings

As noted above, listed building consent is sought to undertake works and extend between two listed buildings to convert them into a two-bedroomed dwelling. The buildings are grade II and listed building consent has previously been granted for a scheme of restoration and repair work under PA/2019/1028, which was in conjunction with the erection of two additional dwellings on the land to the south. The plans show the buildings have a number of existing openings which are to be utilised and the extension is proposed along the eastern side (where the existing wall links the two buildings) which will provide additional ground floor accommodation in the form of a kitchen and utility. In terms of the roof to each of the buildings, it is proposed to remove the existing roof coverings (which consists of pantiles and a corrugated metal roof) and replace them with a new clay pantile. It is also proposed to install a single rooflight in the northern-facing roof slope of the Dovecote, this is considered proportionate to the size of the roof slope, it will allow the roof slope and covering (albeit with a new pantile) to remain visually predominant (particularly as it is on the northern-facing roof slope) and it ensures minimal intervention into the roof. In addition, it will be inserted into a roof slope which will have some new A-frame roof trusses underneath and a new roof tile.

It is worth noting the buildings are in a bad state of disrepair. This was observed in the Structural Report submitted with the previous planning applications in 2019 (referred to as

the Capstone Report) which put forward a number of recommendations as part of an overall scheme for repair and restoration of these listed buildings (as part of enabling development). The works identified to be undertaken to these listed buildings within the Structural Survey consist of a number of structural improvements that are not limited to removing unsafe materials, to underpin and tie together the walls, consolidation of brickwork, addressing significant open cracks in walls, new floor joists and ground floor slab, installation of staircases and plasterwork and electrics throughout, and the replacement of window and door lintels and installation of new windows and doors.

In addition, the report does highlight there is asbestos within the corrugated roof sheets in the Carriage House; these will be removed via a licensed contractor. This will be regulated via the Control of Asbestos Regulations 2012 and planning should assume that separate pollution control regimes will operate effectively. This is consistent with paragraph 194 of the National Planning Policy Framework (NPPF).

It is noted the works outlined in the structural report are somewhat extensive in number and coverage, however they are also considered necessary and reasonable to bring these grade II listed buildings into a condition which results in them becoming functional and to secure the long-term future of these buildings. This application uses that report as a basis for reinforcing the extent of works necessary to convert the listed buildings for residential use and that approach is considered acceptable in principle by the conservation officer. In addition, the conservation officer, in their most recent consultation response, highlights the buildings are in a considerable state of disrepair and it is not viable to return them to their historic use (ancillary buildings within the curtilage of Tetley Hall). Conversion to residential will secure the future of these listed buildings which will result in some minor harm to the significance of the listed building.

Turning to the proposals, the most significant of these is the addition of a single-storey extension to the side which will be both functional (by linking the two listed buildings together) and will provide a modern, contrasting addition that appears subservient in scale, height and size. It has a flat-roof design, which is not ideal in visual amenity terms; however, it does ensure the height of the extension is kept lower and allows the two listed buildings and their external features to remain visually predominant and be appreciated. The flat roof will have a 'green roof' design which, when established, will help to screen its flat profile, and it is considered it will sympathetically assimilate between the pair of listed buildings and will not intercept any key views associated with their setting. It is noted the extension will project from the side elevation of the Dovecote (on its eastern side) and to the north of the Carriage house; however, the plans show this extension will not cut across any existing features or openings within the listed buildings and this allows for those existing openings to be utilised to serve ground floor habitable rooms. The plans show the walls of the extension along its visible elevations (to the north and east) will be constructed from a mix of large expanses of glass interspersed with a reclaimed brick; this will ensure some visual assimilation with the two listed buildings and provide some modernity element to its appearance. Overall, the plans show (with the exception of the replacement roof) there will be minimum intervention into the historic fabric of the listed buildings externally, the vast majority of existing openings being utilised to serve the residential accommodation proposed within. On this basis, the opinion of the conservation officer is that there will be a minor level of harm which is balanced out by securing the future of the listed buildings.

Internally, the supporting plans and information states the existing flag stones will be retained and re-used and, where new floors and walls are required, will result in modern finishes (which are at odds with the historic character of these buildings); however, in the opinion of

the local planning authority, these are necessary adaptations to the buildings if they are to be preserved and converted for residential use, thereby securing the long-term future of two buildings which are in a visible state of disrepair. The applicant has also provided details of the windows and glazing bars which show the provision of a solid bar section; this, together with the joinery schedule which has been submitted, are considered to be appropriate for use in the listed buildings, and as such will be conditioned in that regard (if listed building consent is granted).

Conditions are recommended by the Conservation Officer which requires details of the proposed external materials of construction (including rainwater goods and a sample panel of brickwork for the proposed low boundary wall) to be submitted for consideration. The imposition of such conditions would allow the local planning authority to ensure the materials and finishes of all external facing fittings preserve and enhance the listed buildings and are sympathetic to their setting and fabric.

The objection from the Historic Environment Record (HER) is noted. However, although it is considered the proposed development will result in some minor harm to the significance of these listed buildings, such harm is considered to be outweighed by the public benefits of the proposals, which include the preservation of the two listed buildings, the repair and restoration of these buildings and providing them with a long-term use. Notwithstanding this, the conditions recommended by the Historic Environment Record (for the historical building record to be undertaken in accordance with the archaeological mitigation strategy) are considered to be appropriate in this case. Such conditions would provide an accurate photographic record of the building prior, during and after the works, and given the historic sensitivity of the area and the assets concerned, the recommended conditions are both reasonable and necessary.

Given the recommendations of the structural report, that the works are necessary and will secure the long-term retention of the listed buildings (albeit for a different use) and the lack of an objection from the Conservation Officer, it is considered the proposed works will preserve and enhance the setting and fabric of the Stable/Granary and Carriage house and as such listed building consent is recommended in this case.

### **Other issues**

The consultation response from the council's ecologist and its contents are noted in respect of an European Protected Species licence being required for any works to a building which may contain protected and priority species. However, this is an application for listed building consent which considers the impact on heritage aspects under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the ecological matters will be assessed under the separate planning application PA/2022/2017 (which is considered alongside this application). It is considered, therefore, there is no requirement to duplicate any assessment of protected species in this regard.

### **Pre-commencement conditions**

No pre-commencement conditions are proposed.

### **RECOMMENDATION Grant consent subject to the following conditions:**

1. The works must be begun before the expiration of three years from the date of this consent.

Reason

To comply with Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 1045 1 of 7 (Existing Elevations A & C)
- 1045 2 of 7 (Existing Elevations B & D)
- 1045 3 of 7 (Existing Floor Plan)
- 1045 4 of 7 (Proposed Floor Plans D7)
- 1045 5 of 7 (Proposed Elevations D7)
- 1045 7 of 7 (Location and Block Plans)
- DRWG/PA/2022/2059/30.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The development hereby permitted shall be undertaken using the schedule of materials and mortar mix (excluding the rainwater goods) stated in the design and access statement, the windows and doors schedule in the quotation from G Empson & Sons dated 13 November 2023 and the window bar detailing shown on drawing DRWG/PA/2022/2059/30. The development shall take place in accordance with the agreed materials/details and once constructed it shall thereafter be retained.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

No above-ground works shall take place until details of all rainwater goods and external finishes, and a sample panel of the proposed brick wall, have been submitted to the local planning authority and agreed in writing, and only the approved materials shall be used.

Reason

To retain the character of the listed building in accordance with policy HE5 of the North Lincolnshire Local Plan.

5.

The development hereby permitted shall be in accordance with the Historic Building Record of the listed buildings as set out in the approved Archaeological Mitigation Strategy dated 14 November 2020. In addition, archaeological monitoring shall be extended to include the below-ground construction of the approved extension and associated construction works. The historic building recording shall be carried out in accordance with the approved details and timings.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan as the buildings are a



heritage asset of local historic value that form part of a group of historic buildings. Demolition will result in the loss of historically significant evidence; the proposed historic building record will ensure that such evidence is appropriately recorded and a permanent archive created.

6.

The historic building and archaeological report and archive shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of commencement of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policies HE9 of the North Lincolnshire Local Plan because historic buildings will be demolished and archaeologically significant remains may be destroyed during construction groundwork; the proposed recording will ensure that these heritage assets are appropriately recorded and a permanent archive created.

7.

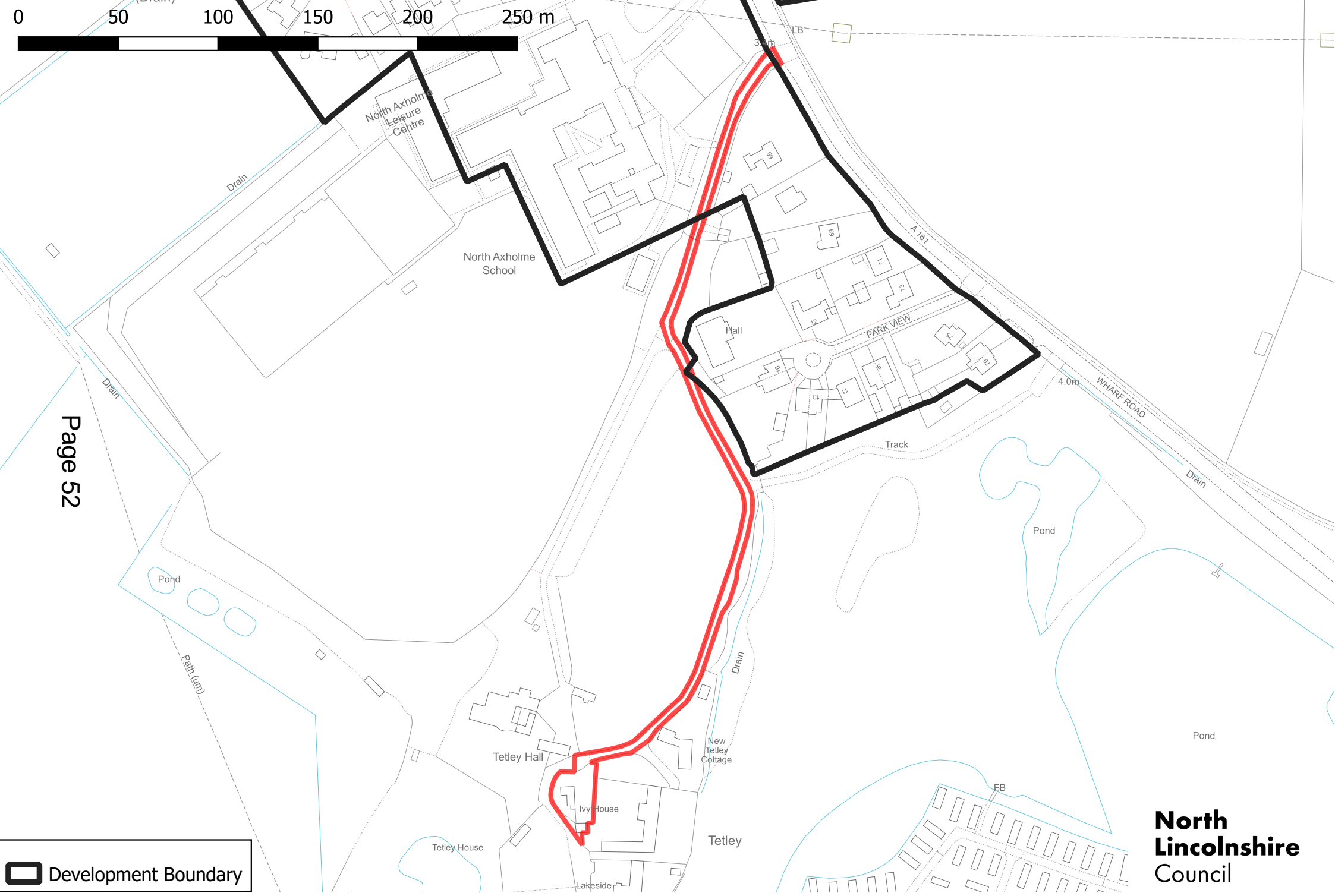
The development hereby permitted shall take place in strict accordance with all of the works recommended within the Structural Survey (Capstone, October 2017) to the Stable (and Dovecote) and Carriage House and once completed shall thereafter be retained. The applicant must evidence these works through both written documentation and photomontage, and this is to be agreed in writing with the local planning authority.

Reason

In the interest of the historic environment and to align with the terms of this listed building consent, in accordance with policies CS6 of the Core Strategy and HE5 of the North Lincolnshire Local Plan.

### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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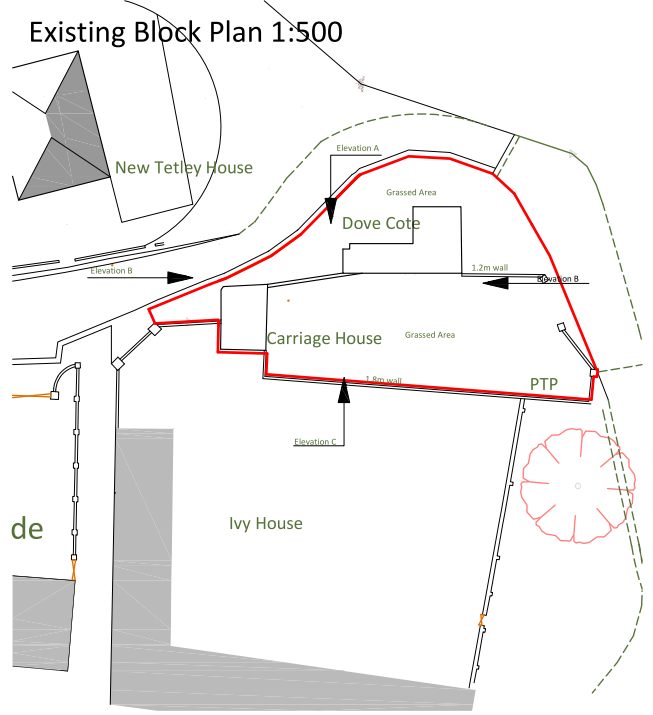
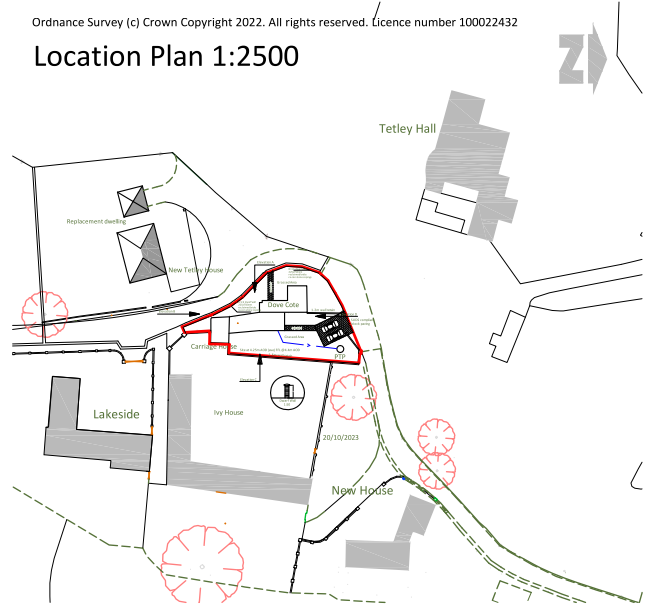
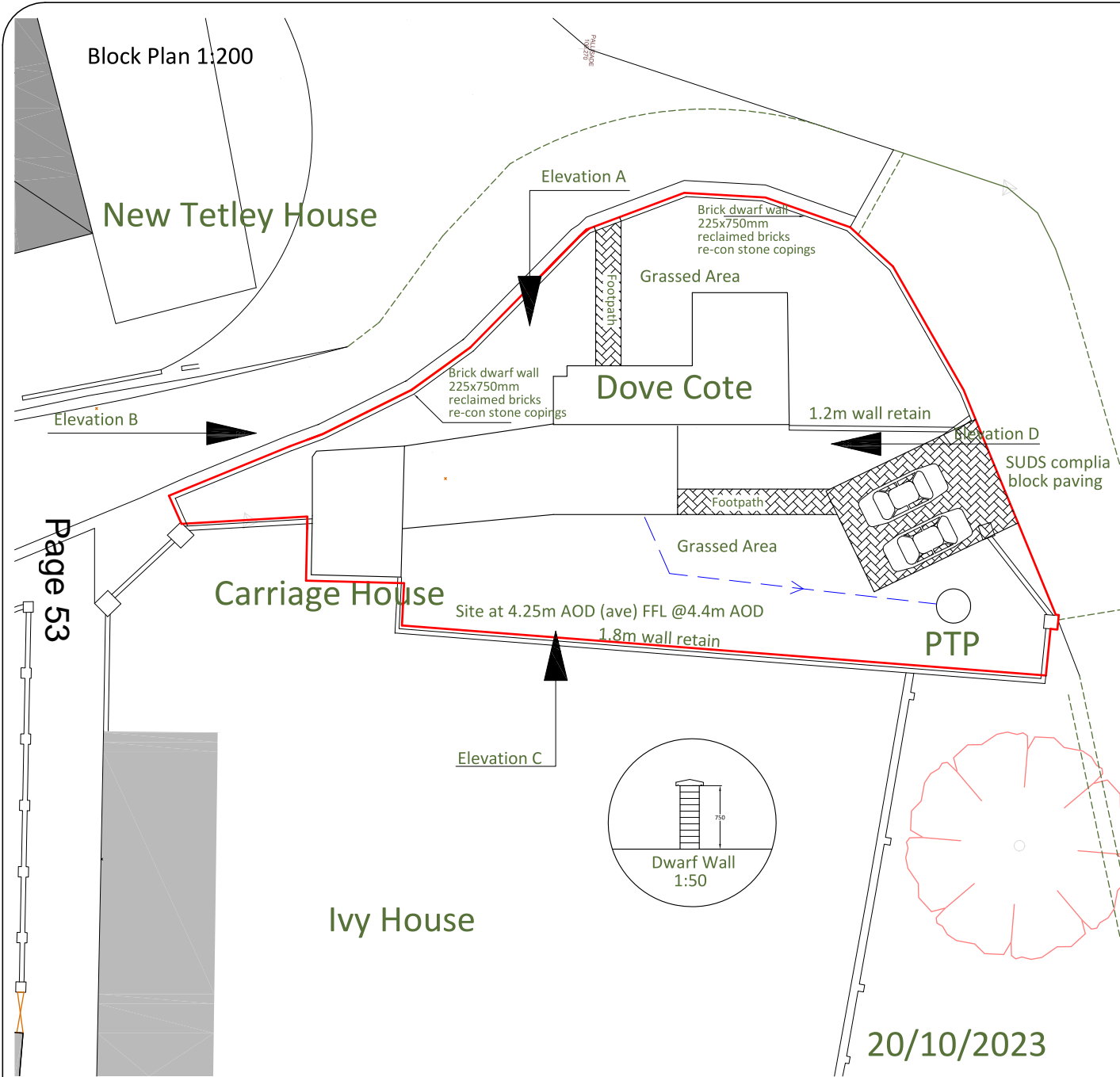
 Development Boundary

**PA/2022/2059**

**North  
Lincolnshire  
Council**

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# PA/2022/2059 Proposed layout (not to scale)



Page 53

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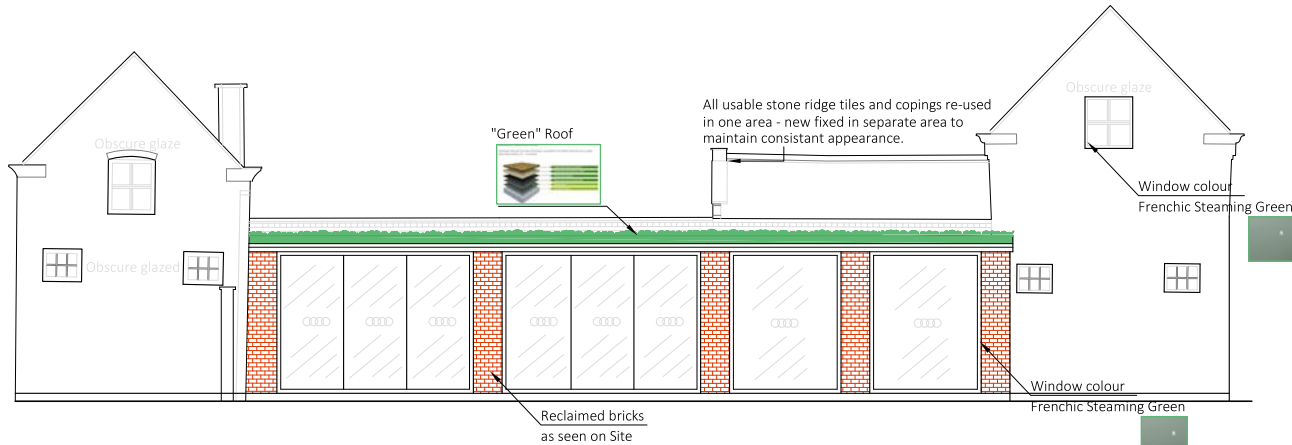
Client	NPP Properties Ltd		
Date	7/8/23	Dwg No	7 of 7
Scale	As noted	Ref No	1045

Proposal	Dovecote & Carriage House conversion at Tetley, Crowle DN17 4HJ
Drawing	Location and Block Plans

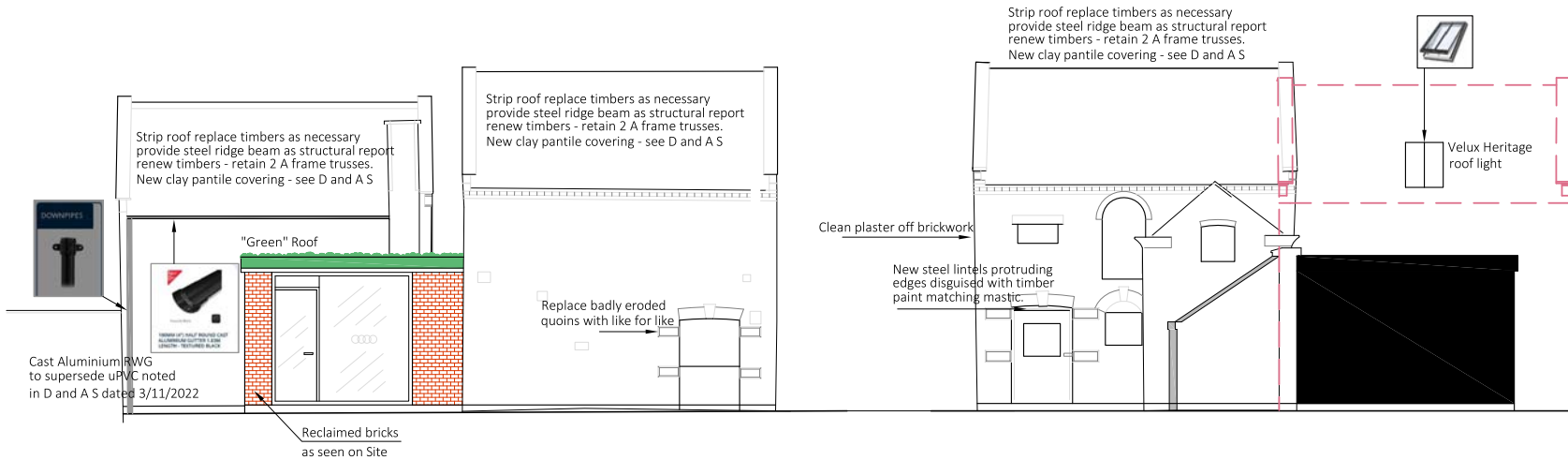


# PA/2022/2059 Proposed elevations (not to scale)

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ELEVATION C



ELEVATION D

ELEVATION B

13/11/2023

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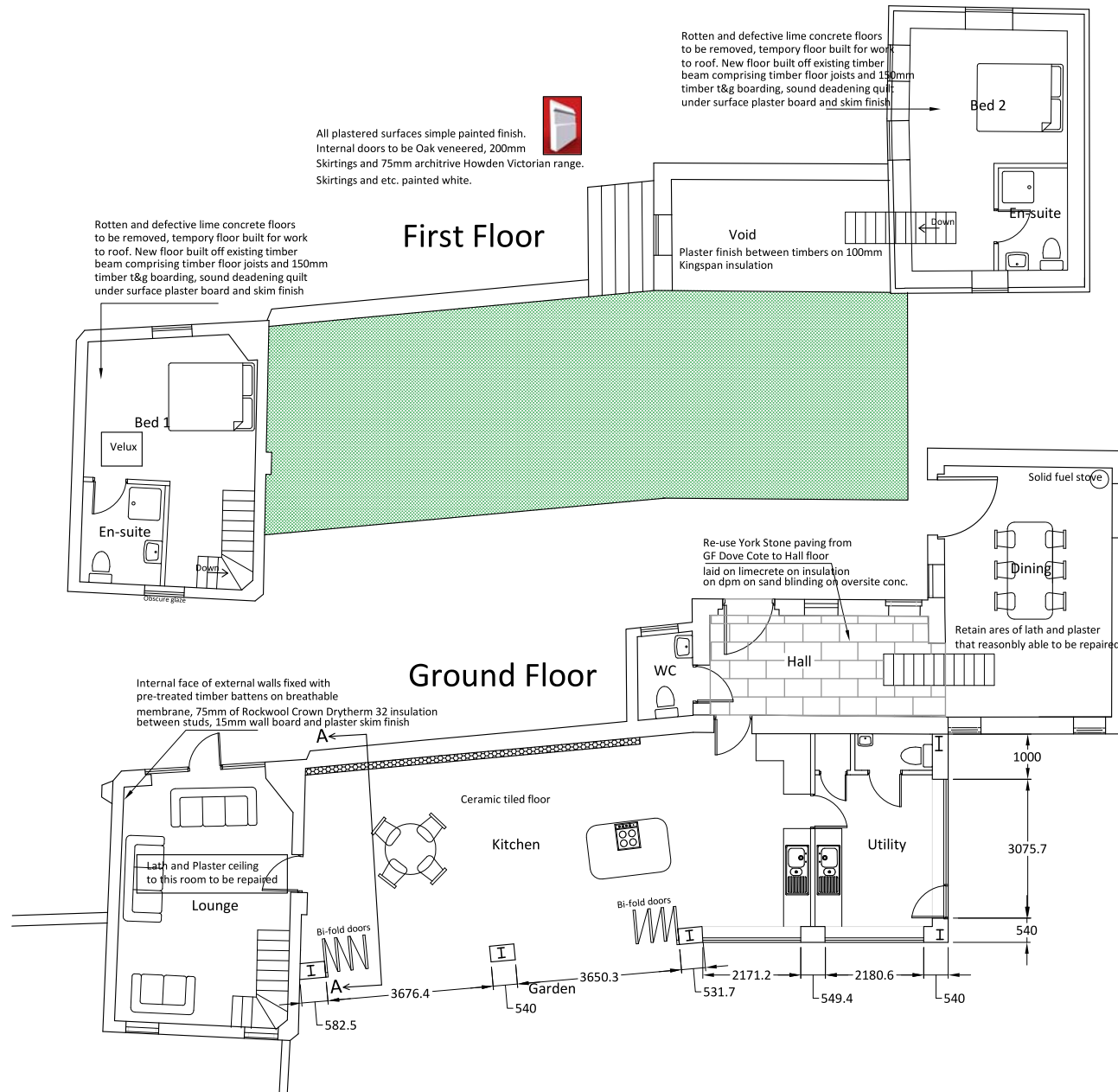
Client	NPP Properties		
Date	5/10/23	Dwg No	5 of 7
Scale	1:100	Ref No	1045

Proposal	Dovecote and Carriage House conversion at Tetley, Crowle, DN17 4HJ
Drawing	Proposed Elevations D 7



# PA/2022/2059 Proposed floor plans (not to scale)

Page 55



13/11/2023

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Client	NPP Properties		
Date	5/10/23	Dwg No	4 of 7
Scale	1:100	Ref No	1045

Proposal  
Drawing

Dovecote and Carriage House conversion at  
Tetley, Crowle, DN17 4HJ  
Proposed Floor Plans D 7



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<b>APPLICATION NO</b>	<b>PA/2023/1194</b>
<b>APPLICANT</b>	Matthew Barrett
<b>DEVELOPMENT</b>	Planning permission to vary condition 2 of PA/2022/510 namely to change the roof space into first-floor accommodation.
<b>LOCATION</b>	Kerrow Moar, Lidgett Close, Scawby, DN20 9AW
<b>PARISH</b>	<b>SCAWBY</b>
<b>WARD</b>	Broughton and Scawby
<b>CASE OFFICER</b>	Emmanuel Hiamey
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Scawby Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places

### **North Lincolnshire Local Plan:**

- DS1 General requirements
- T1 Location of development
- T2 Access to development
- T19 Car parking provision and standards
- DS14 Foul sewage and surface water drainage
- DS16 Flood risk

### **North Lincolnshire Core Strategy:**

- CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS7 Overall housing provision

CS19 Flood risk

CS25 Promoting sustainable transport

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS11 Development limits

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

T2 Promoting public transport

T4 Parking

## **CONSULTATIONS**

**LLFA Drainage:** No objection.

**Environmental Protection:** No comments to make.

**Highways:** No objections subject to a condition.

## **PARISH COUNCIL**

Objects to this planning application as the alteration to this planning permission is substantial and cannot be considered a minor variant.



## **PUBLICITY**

A site notice has been displayed and two responses have been received objecting to the proposal on the following grounds:

- the scale and design of the dwelling approved under PA/2022/510
- effect on amenity in terms of privacy, overbearing impact and overshadowing.

## **ASSESSMENT**

### **Planning history**

- PA/2023/1121: Application to discharge conditions attached to planning permission PA/2022/510 (conditions 4 and 5) – approved 04/10/2023
- PA/2023/654: Planning permission for a proposed detached dwelling – pending a decision
- PA/2022/510: Planning permission to erect a detached bungalow – approved with conditions 22/08/2022
- PA/2011/0510: Outline planning permission to erect a chalet bungalow with all matters reserved – refused 21/06/2011; subsequent appeal reference APP/Y2003/A/11/2165852 dismissed 06/06/2012
- PA/1998/0434: Planning permission to erect a replacement garage – approved 19/05/1998
- 7/1976/0748: Construct an extension to an existing shop – approved with conditions 22/10/1976.

### **Constraints**

SFRA flood zone 1

Within the development boundary

### **Site description and proposal**

This application seeks permission to vary condition 2 of PA/2022/510, namely to alter the approved plans at Kerrow Moar, Lidgett Close, Scawby, DN20 9AW.

The site is within the development boundary of Scawby and contains a two-storey detached dwelling with attached single-storey extensions, a detached garage and an outbuilding.

The site shares a common boundary with The Bungalow to the north and both properties are enclosed by road (Lidgett Close). The surrounding area is characterised mainly by two-storey semi-detached dwellings.

By way of background, planning permission was approved on 22 August 2022 to subdivide the dwelling plot to erect a detached dwelling. As indicated earlier, this application seeks to vary condition 2 of PA/2022/510, which states:

'The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Dwg. No. PA/2022/510/01 and Proposed Plans and Elevations Dwg. No. S/01/01/053/21.'

The main differences between the previous proposal (PA/2022/510) and the variation now being sought are as follows.

This current proposal seeks to retain the footprint and height (6.4m overall) of the plans approved under PA/2022/510. This variation would involve altering the roof style (increasing a section of the roof) to enable the roof space to be converted into living accommodation, and the dwelling is positioned slightly further forward on the site, more in keeping with the building line.

The variation also includes installing a dormer window in the west and east elevations, as well as three rooflights in the north elevation and one in the south.

### **Key issues**

**The key issues to be considered in assessing this application are:**

- **principle of the development**
- **impact of the proposed variation**
- **amenity impact**
- **highway impact**
- **drainage impact.**

### **Principle of the development**

Section 73 of the Town and Country Planning Act 1990 allows variation or removal of conditions associated with a grant of planning permission. One of the uses of a Section 73 application is to seek a minor material amendment to an approved scheme, where there is a relevant condition that can be varied.

The principle of the erection of the dwelling on the site has been established by the grant of PA/2022/510; the variation of condition 2 of PA/2022/510 does not supersede the approval already granted.

In line with the terms of Section 73 of the Town and Country Planning Act 1990 and the relevant policies of the local development plan, the principle of development is acceptable.

### **Layout, siting and design**

The layout and siting of the development would remain as previously approved. This variation is limited to the design of the originally approved proposal, in particular altering the roof style, and installing a dormer window in the west and east elevations, three rooflights in the north elevation and one in the south, to enable the roof space to be used as living accommodation.

In considering design and appearance, the proposed variation on its own would not harm the character of the area or the street scene.

## **Amenity impact**

Having reviewed the design of the proposed variation, in comparison with the approved plan under PA/2022/510, there would not be any significant planning issue with the footprint and height of the dwelling, as the footprint and ridge level would primarily be the same, notwithstanding the raising of a section of the roof to tie in with the uppermost ridge.

Undoubtedly, changes to the design of a dwelling raise concerns regarding the potential impact on surrounding amenity in terms of being overbearing, overshadowing and privacy.

Considering the planning history of the site, taking note of the refusal of outline planning permission (PA/2011/0510) to erect a chalet bungalow on 21/06/2011 and the dismissed appeal (APP/Y2003/A/11/2165852) on 06/06/2012, the Planning Inspectorate (PINS) dismissed the appeal based on concern about likely amenity impact in terms of overlooking of the garden area of an adjacent dwelling.

The proposal approved under PA/2022/510 adequately addressed the Planning Inspectorate's concerns in terms of amenity impact.

From the above, the main concern with this variation is whether the dormer windows would have a significant amenity impact on neighbouring properties since there were no first-floor levels within the originally approved plan under PA/2022/510.

Returning to the details of the proposed variation or the modification, the roof style would result in a hipped roof and enable the roof space to be converted into living accommodation. Having considered the details of the proposed roof style, it is considered acceptable within the setting.

In terms of privacy, as indicated earlier, the dormer windows would be installed facing east and west of the dwelling. All the dormer windows would face Lidgett Close, which the site is in the middle of. As the dormer windows would face the road, it is judged that they would not cause problems in terms of privacy or overlooking adjacent properties.

Turning to the rooflights, they would be in the north and south elevations, and the size and number of rooflights are restricted to the minimum and do not form clutter. The rooflights are ideally set within the roof slope. The use of the rooflights to provide natural light to the first-floor accommodation is acceptable. In terms of privacy, while the rooflights would face neighbouring properties, they would not take away any privacy as they would look up into the sky and not directly into the windows or gardens of neighbouring properties.

In terms of being overbearing, the footprint of the approved plan (PA/2022/510) would be retained and therefore the changes to the plan would not raise any planning issues. Further, the separation distance of the dwelling from the common boundary with the neighbouring properties is adequate to prevent any overbearing impact. Overall, there would be no overbearing or overshadowing impact. Any unanticipated issue of overshadowing would be minimal and would not warrant refusal of the application.

The overall assessment is that the variation is acceptable because it would not harm the living conditions of neighbours. The proposal would accord with policies DS1 of the local plan and CS5 of the Core Strategy.

## **Highway issues**

Policy T2 of the local plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions. Both are considered relevant.

The proposed variation to condition 2 of PA/2022/510 is not considered to have an impact on highway safety or the provision of car parking spaces as approved. The details of the materials provided would not raise any issue in terms of highway impact.

Highways have no objections to the proposal. As such, the proposal complies with policies T2 and T19.

## **Drainage**

Policy CS19 of the Core Strategy is concerned with flood risk and policy DS14 is concerned with foul sewage and surface water drainage.

The application site is within SFRA flood zone 1, which has a low probability of flooding; this proposal, too, is unlikely to cause any issues of flooding.

The LLFA Drainage Team has no objections to the proposed development subject to conditions and informative comments.

## **Objection by Scawby Parish Council**

Scawby Parish Council objects to this application. They are concerned that the variation to this planning permission is substantial and cannot be considered minor. This concern has already been addressed in the principle of the development section.

They have also indicated that the proposal is for substantial changes to the height and layout, making the property two-storey which will harm neighbouring properties in terms of loss of natural light and privacy.

It is evident from both the previously approved drawing and the current variation drawing that the height would remain the same (6.4m overall), though the current proposal will raise the lower section of the roof to match the uppermost ridge (6.4m high). The impact of this change has already been addressed in this report, as has the concern about loss of privacy.

The parish council feels that changing this property into a 'dormer' style property is not suitable or acceptable in this location. This matter has also been addressed. It is judged that the dormer window style would be sympathetic to the dwelling in terms of form, detailing and materials, and would not harm the street scene or the character of the area.

## **Conclusion**

The principle of the proposal is acceptable, and the proposed changes are appropriate. The position, scale and design of the proposal do not raise any issues of privacy, overbearing impact or overshadowing. The proposal would not harm the character of the street scene or the surrounding area. It therefore complies with the relevant policies of the North Lincolnshire Local Plan and the Core Strategy, as well as the NPPF and is recommended for approval.

**RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from 22 August 2022, the date PA/2022/510 was approved.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Dormer Bungalow Plans 23-514-201.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

The details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway, discharged by the local planning authority under PA/2023/1121, shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

5.

The details showing an effective method of preventing surface water run-off from the highway onto the developed site, submitted and discharged in writing by the local planning authority under PA/2023/1121, shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

6.

Adequate vehicle access, parking and turning facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

8.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

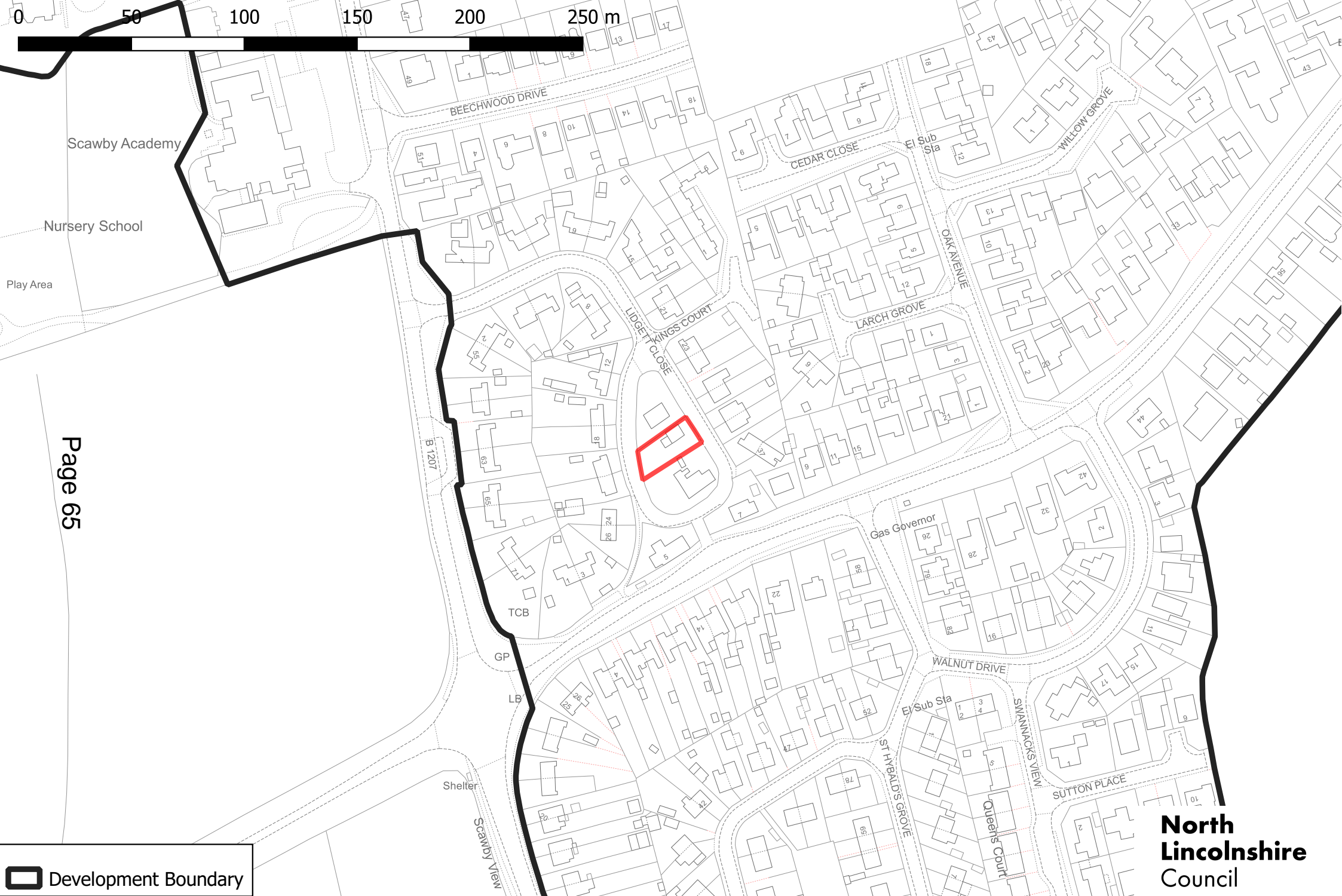
Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as a local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

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 Development Boundary

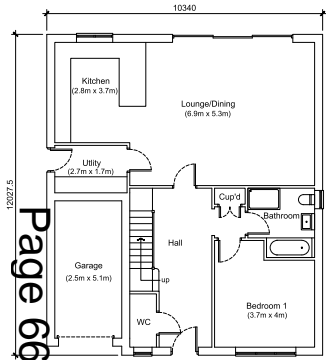
**PA/2023/1194**

**North  
Lincolnshire  
Council**

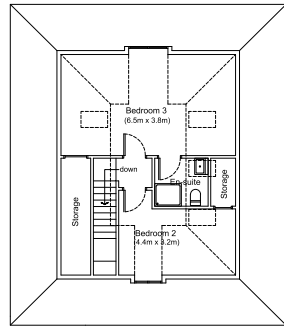
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# PA/2023/1194 Proposed plans (not to scale)

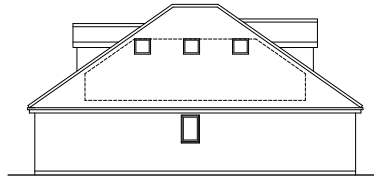
Notes  
 1. Do not Scale.  
 2. All dimensions to be checked on site.  
 Revisions



Ground Floor Layout



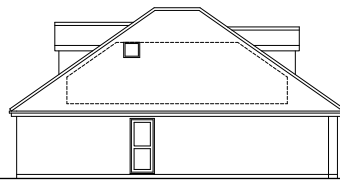
First Floor Layout



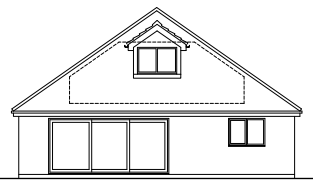
North Elevation



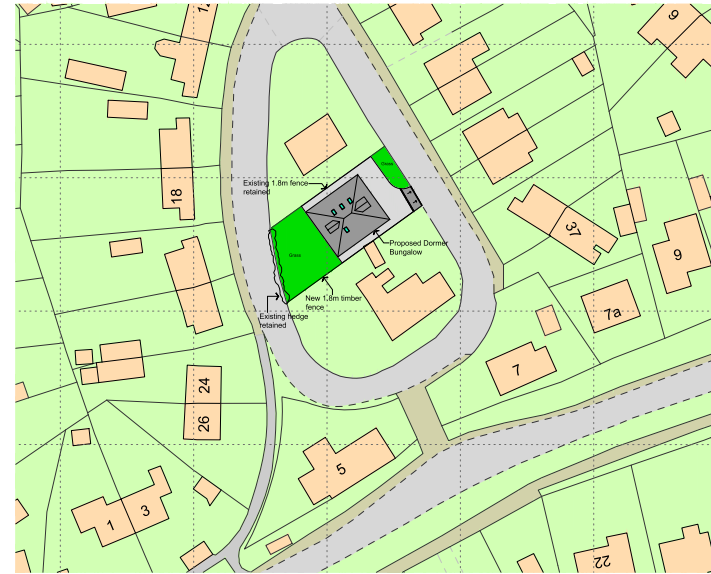
East Elevation



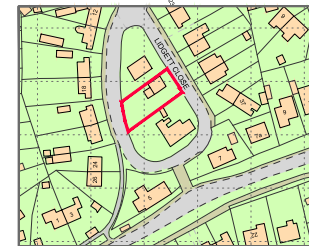
South Elevation



West Elevation




Block Plan (1:500)



Site Location Plan (1:1250)

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Project			
Plot adjacent to 'Kerrow Moar', Lidgett Close, Scawby			
Title Proposed Dormer Bungalow			
Scale	Size	Date	
1:100	A1	21.06.2023	
Drawing No.	23-514	201	Rev -
 <b>CDC Architecture Limited</b> 35 Louth Road, Scartho, Grimsby North East Lincolnshire, DN33 2HP ARCHITECTURE <a href="http://www.cdc-architecture.com">www.cdc-architecture.com</a>			



<b>APPLICATION NO</b>	<b>PA/2023/1339</b>
<b>APPLICANT</b>	Mohan Palanisamy, Samy Ltd
<b>DEVELOPMENT</b>	Advertisement consent for one externally illuminated fascia sign and window vinyls
<b>LOCATION</b>	9 High Street, Kirton in Lindsey, DN21 4LZ
<b>PARISH</b>	<b>KIRTON IN LINDSEY</b>
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Matthew Gillyon
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Kirton in Lindsey Town Council

## **POLICIES**

### **National Planning Policy Framework:**

12 Achieving well-designed and beautiful places

16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

H5 New housing development

HE2 Development in conservation areas

HE4 Shopfronts, advertisements, canopies and blinds in conservation areas

DS1 General requirements

### **North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

## **Housing and Employment Land Allocations Development Plan:**

PS1 Presumption in favour of sustainable development

Settlement Inset Map 27 – Kirton in Lindsey

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

HE1 Conserving and enhancing the historic environment

DM1 General requirements

## **CONSULTATIONS**

**Highways:** No objections or comments.

**LLFA Drainage:** No objections or comments.

**Environmental Protection:** No comments.

**Conservation:** The revision shown on the plan indicates the use of external illumination using a series of projecting lamps, retaining the aluminium fascia and removing the external facing vinyl. The change to vinyl gives a uniform appearance to the building façade and the use of external illumination is the preferred option in conservation areas. The large aluminium fascia will still remain a negative feature of the conservation area; however, a sign of similar appearance has been on this building for some time and as such it can be said the proposal is neutral by comparison, being no worse, nor better, than that.

## **TOWN COUNCIL**

Objects to this application as it directly contravenes local planning policies HE2 and HE4 due to the detraction from important existing spaces and views, and detrimental effects on the architectural and historic quality of the conservation area. The signage is of poor appearance and the internal illumination inappropriate for the location, making a building of no architectural merit worse. The building is now at odds with the grade II listed town hall and other buildings in the Market Place.

It is further noted that the signage on the store has been inappropriate for many years, and although the revised application for lighting the signage is more in keeping with other

commercial premises in the Market Place, would welcome the opportunity to be taken by the applicant to make the signage itself more in keeping with the conservation area and the vista of the grade II listed town hall which is immediately adjacent.

## **PUBLICITY**

A site notice has been displayed and two comments have been received.

One comment considers the signage in its current size and colour will impact the conservation area, and questions whether the signage really needs to include advertising for Costa and Morrisons at all as the window clearly gives enough signage space.

The other comment raises the point that, with the signage already installed, should the application type be retrospective, and objects to the design and colour of the sign which should be revised to be more respectful of the conservation area and Market Place.

## **ASSESSMENT**

### **Planning history**

PA/2005/0718: Planning permission to install an external ATM cash machine with illuminated advertising – approved with conditions 15/06/2005

PA/2005/0061: Planning permission to install an ATM cash machine – approved with conditions 02/03/2005

PA/2006/1217: Advertisement consent to display timber fascia sign with hidden overhead trough light – refused 21/09/2006

PA/2006/1726 Advertisement Consent to display an illuminated fascia sign – refused 15/12/2006

PA/2007/0284 Advertisement consent to display a non-illuminated timber fascia sign illuminated by 8 brass swan-neck lamps – approved with conditions 30/03/2007

### **Site constraints**

The site is within the development boundary of Kirton in Lindsey, within the conservation area. It is also within the setting of the town hall which is a grade II listed building and within SFRA flood zone 1.

### **The site and proposal**

Advertisement consent is sought for one externally illuminated fascia sign and window vinyls above the shop frontage for Morrisons Daily to replace the previous sign. It should be noted that the sign has been replaced with an internally illuminated sign that was part of the original plans; however, after initial comments and consultations were reviewed, an amended plan has been received changing the proposal to externally illuminated, which it was previously.

The signage will be an aluminium fascia, 9,400mm long by 930mm high. It will be externally lit by a series of projecting lamps. There will also be new internal vinyl signage in the shop front windows to a maximum of 1,100mm high coverage. The sign on the shop was changed

in February 2023 as part of its rebranding, the sign being internally illuminated as per the original plans; an amended plan has now been received with a betterment scheme that will mean the sign is externally illuminated and in keeping with other shops in the vicinity.

### **Material considerations**

This application seeks advertisement consent to erect an externally illuminated sign and window vinyls at 9 High Street, Kirton in Lindsey.

The fascia sign is on the front elevation of the shop frontage for Morrisons Daily to replace the previous sign. It will be externally lit by a series of projecting lamps and is 9,400mm long by 930mm high. There will also be new internal vinyl signage in the shop front windows to a maximum of 1,100mm high coverage.

Paragraph 141 of the NPPF states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The assessment of this application is therefore limited to those two matters, with regard had to the development plan insofar as relevant policies are material to that assessment.

Collectively, policies DS1 and DS18 of the local plan seek to ensure good standards of design in new development and that alterations to and advertisements on shop fronts are well related to the design of the building and character of the surrounding area. Policy DM5 of the emerging local plan indicates that permission will be granted for shop fronts and signs where the design is related to the scale and appearance of the building to which the proposal relates, and the design respects the character and appearance of the location.

Policy HE4 of the current local plan relates to advertisements within a conservation area and states that their design should respect the character and appearance of the buildings and their surroundings, and should have no detrimental effects on the historic quality of the conservation area.

### **The main issues for consideration in determining this application are:**

- **visual impact on the character and form of the locality/heritage**
- **impact on amenity and highway safety.**

### **Visual impact on the character and form of the locality/heritage**

The proposed signage is on the shop front of 9 High Street. The proposal is within the Kirton in Lindsey conservation area and within the setting of the grade II listed building, Town Hall.

The parish council has objected to the proposal commenting that the signage on the store has been inappropriate for many years, and although the lighting shown in the revised application is more in keeping with other commercial premises in the Market Place, they would welcome the opportunity to be taken by the applicant to make the signage itself more in keeping with the conservation area and the vista of the grade II listed town hall which is immediately adjacent.

The conservation officer has commented on the proposed new signage, stating that the change to vinyl gives a uniform appearance to the building façade and the use of external illumination is the preferred option in conservation areas. The large aluminium fascia will still remain a negative feature of the conservation area; however, a sign of similar appearance

has been on this building for some time and as such it can only be said the proposal is neutral by comparison, being no worse, nor better, than that.

A similar sign was granted permission in 2007 and had remained on the building until the new Morrisons Daily sign was erected. The site is also within the setting of the grade II listed building, the Town Hall, which still dominates the High Street, the proposed site for the signage being only single-storey. There is also a mix of different signage on retail properties in the area, the amended design reflecting the area and being externally illuminated.

It is considered that the proposed new signage is in keeping with the building itself and character of the area, and will not affect the setting of the listed building, the surrounding area being almost entirely commercial/retail in character.

### **Impact on amenity and highway safety**

There are no objections from the highway authority. The proposed externally-illuminated signage has led to two comments on the application: one questioning whether the sign needs to be so large, and whether the window vinyl is sufficient to not create an adverse impact on the conservation area; the other relating to whether the application should be 'retrospective' and redesigned to be more in keeping with the conservation area.

The previous signage on the building was similar in appearance and these comments were made prior to the amended plan being received showing the sign to be externally illuminated rather than internally. The amended plan is considered to be a neutral change, much more in keeping with the character of the area and other local businesses. In respect of whether this should be a retrospective application, it is acknowledged that the sign had already been changed; however, that was in its previous form and not in the amended form that has since been submitted. The proposed signage would not prejudice public safety and is acceptable in accordance with policies DS1, DS18 and T2 of the North Lincolnshire Local Plan.

### **Conclusion**

The resultant impact on the overall character of the building would be negligible in this context, with a similar sign being in situ for many years and no concerns over potential impacts on road safety for all users. The proposed signage would not prejudice public safety and is considered acceptable in accordance with the aims of policies HE4, DS1 and DS18 of the local plan, and CS5 of the Core Strategy, as well as the NPPF. It is therefore recommended that the application be approved subject to conditions and granting express consent for the advertisement for a five-year period.

### **RECOMMENDATION Grant consent subject to the following conditions:**

1.

The advertisements hereby consented shall be carried out in accordance with the following approved plans: Elevations Existing and Proposed Drawing No. 23016\_A(GA)PR\_305 Rev A.

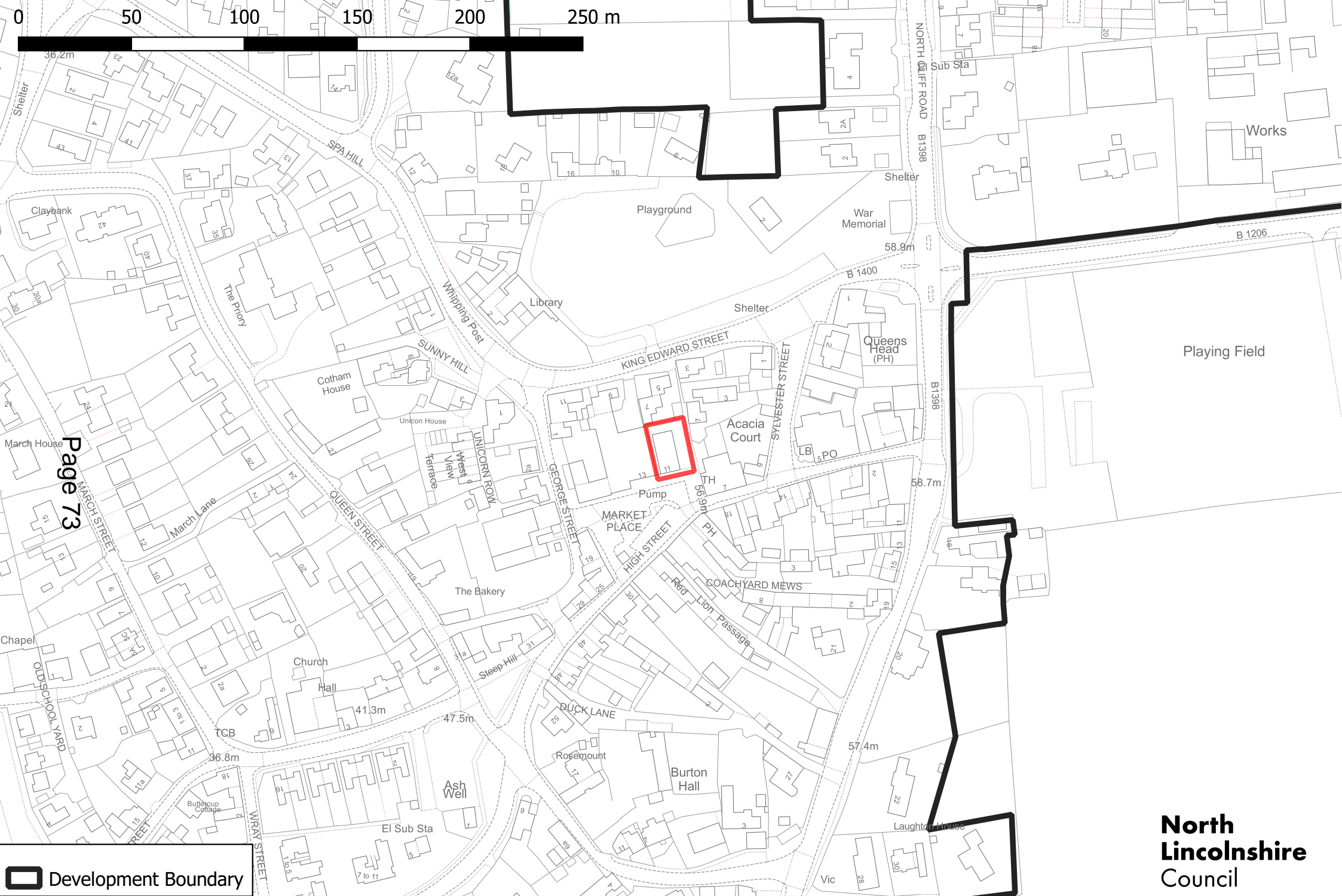
Reason

For the avoidance of doubt and in the interests of proper planning.

## **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

0 50 100 150 200 250 m



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 Development Boundary

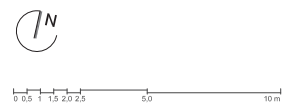
**North  
Lincolnshire  
Council**

**PA/2023/1339**

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# PA/2023/1339 Existing and proposed elevations (not to scale)

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03 - High Street Elevation - existing - google maps

01 - High Street Elevation - existing

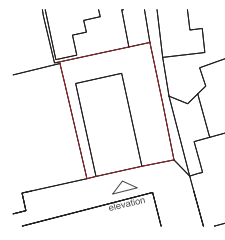
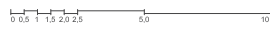
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02 - High Street Elevation - proposed

- Aluminium fascia with:
  - 80mm Folded Returns
  - Sprayed RAL 9005 With Painted White Curve
  - Built Up 'Morrisons Daily' Letters Fixed Direct To Fascia
  - Fret Cut 'Open Late' & Costa Logo Backed In Opal Acrylic
  - Externally lit with a series of projecting lamps

REV	DATE	DESCRIPTION	BY	CHKD
1	04/12/2023	Initial Design	JD	MD
2	24/05/2024	Final Design	GH	MD



Key Plan 1:500@A1

AMENDED

architects  
**Dyer**

TYPE: PLANNING  
 PROJECT: Kirtan Lindsey  
 11 High Street - signage  
 THE Elevations - existing  
 and proposed  
 PROJECT NO: 23016\_A(GA)PR\_305  
 SCALE: 1:100  
 DATE: A



<b>APPLICATION NO</b>	<b>PA/2023/1583</b>
<b>APPLICANT</b>	J G Green & Sons
<b>DEVELOPMENT</b>	Hybrid application comprising full planning permission to partially demolish, rebuild and convert existing farm buildings to form 3 new dwellings with new access, and outline planning permission to erect 4 new dwellings with new access (access, appearance, landscaping, layout and scale reserved for subsequent consideration)
<b>LOCATION</b>	Whaplate Farm, West View, Messingham, DN17 3PF
<b>PARISH</b>	<b>MESSINGHAM</b>
<b>WARD</b>	Messingham
<b>CASE OFFICER</b>	Daniel Puttick
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions: full planning permission to partially demolish, rebuild and convert existing farm buildings to form 3 new dwellings with new access; and outline planning permission to erect 4 new dwellings with new access (access, appearance, landscaping, layout and scale reserved for subsequent consideration)</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call-in' (Cllr Neil Poole – significant public interest)

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change
- 16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

T2 Access to development

T19 Car parking provision and standards

DS1 General requirements

DS14 Foul sewage and surface water drainage

DS16 Flood risk

H5 (Part saved) New housing development

H8 Housing design and housing mix

HE9 Archaeological excavation

### **North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Overall housing distribution

CS8 Spatial distribution of housing sites

CS17 Biodiversity

CS18 Sustainable resource use and climate change

CS19 Flood risk

CS25 Promoting sustainable transport

### **Housing and Employment Land Allocations DPD:**

Settlement boundary for Messingham

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 Spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS6 Spatial distribution of housing sites

SS11 Development limits

H2 Housing mix and density

DQE1 Protection of landscape, townscape and views

DQE3 Biodiversity and geodiversity

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport

T3 New development and transport

DM1 General requirements

HE1 Conserving and enhancing the historic environment

## **CONSULTATIONS**

**Highways:** We have reviewed the information submitted in support of the above application. It is unclear from the information provided whether the access road to the development, and also the footway link to Hewson Street, are to remain private or be offered up for adoption. We have therefore recommended conditions that apply to both options. It is generally accepted that private drives should provide access to no more than five dwellings which are wholly served by the private drive. We would advise that conditions should be applied to any permission that you may be minded to grant, including securing details of carriageway widening on West View.

**Environmental Protection:** Conditions are recommended to secure the undertaking of land contamination studies, an asbestos survey and to control asbestos disposal. Conditions are also recommended to control construction working hours and secure the submission of a construction environmental management plan.

**LLFA Drainage:** Following the submission of an Outline Sustainable Drainage Strategy, previous concerns regarding surface water drainage and an objection made on these grounds has been removed, subject to the imposition of planning conditions.

**Archaeology:** The farm buildings are non-designated heritage assets recorded on the HER and the applicant has submitted an appropriate heritage statement. The farm buildings form part of an historic farmstead dating from the early–mid 19th century with potentially earlier origins and are of local historic value contributing to the character of the village. The buildings

are in poor condition overall and the proposals will conserve some of their historic significance. Partial demolition and the additional loss of historic evidence during conversion and rebuilding should be weighed in the planning balance in accordance with paragraph 203 of the NPPF. The application also lies within an area where archaeological remains of prehistoric and Roman date can be anticipated. There are no objections subject to securing a programme of historic building recording of the traditional farm buildings prior to and during any demolition or alterations taking place, and of archaeological monitoring and recording to be undertaken during all groundworks within the development.

**Spatial Planning:** This application for residential development conforms with policy; consideration has been given to the non-designated heritage asset.

## **PARISH COUNCIL**

No objections subject to confirmation of an acceptable drainage and surface water plan to address the existing foul water issues in the area.

## **PUBLICITY**

Advertised by site and press notice. Nine letters of objection have been received. Some of these raise concerns about the lack of written notification to local residents. The following is a summary of the material considerations raised:

- The existing access onto West View is unsafe and vehicles travelling along West View do so in excess of the speed limit.
- Protected species of wildlife would be affected.
- The proposed footpath would run directly behind rear gardens presenting a security risk in a village where crime rates are high.
- The proposed development would lead to overlooking and loss of privacy for occupants of existing properties.
- Bungalows would be more fitting for the area, matching bungalows which already surround the site.
- There are issues with parking in the local area near to the site. More cars will lead to congestion. Some residents use part of the application site for car parking and have done for 10 years or more.
- The land on Butterwick Road where one of the bungalows is proposed to be constructed has an electric pylon.

Comments made in relation to the loss of views and perceived negative impact of the development on the value of homeowner's property are not material planning considerations and are private interests which cannot be afforded any weight in the determination of this planning application.

## **ASSESSMENT**

### **Planning history**

There is no planning history.

### **Site characteristics**

The application site comprises farm buildings and land at Whaplate Farm on the western edge of Messingham. The site is within the development limits of the settlement, and is situated at the junction between West View and Butterwick Road, a short walk from the centre of the village.

The proposed development concerns the conversion of existing farm buildings. The proposal relates to the U-shaped group of buildings at the northern end of the site, which are of brick construction and in need of repair. The site incorporates the existing building to the east of the farmhouse, which is excluded from the development.

The site is bounded by existing housing to the north, east and south. Open agricultural fields lie beyond West View to the east.

The application site is with flood zone 1. Existing power infrastructure is situated within the grassed area to the immediate west of 46 Butterwick Road. There are no other known constraints.

### **Proposal**

The application is submitted in hybrid form and comprises elements seeking outline and full planning permission respectively. Full planning permission is sought to convert existing farm buildings at the site to provide three dwellings, with outline planning permission sought to demolish existing buildings and construct four detached properties within the site.

The full planning application comprises the conversion, involving some localised rebuilding, of the existing farm buildings to create three properties with central gardens to units 1 and 2 and a side garden to unit 3.

Unit 1 would feature two bedrooms, with an open-plan kitchen, living and dining area, whilst unit 2 would feature two bedrooms, an open-plan kitchen, living and dining area, and utility room with separate WC.

Unit 3 would have accommodation over two floors comprising open-plan kitchen, dining and living area with utility, WC and snug at ground-floor level, and three bedrooms at first-floor level. The internal arrangement would involve a central stairwell void with bridge over, retaining floor to ceiling headspace within the entrance vestibule.

Parking would be provided for six vehicles, with a new boundary treatment providing enclosure to the parking area of the existing farmhouse. Each property would have dedicated storage space for refuse bins, with new boundary walls constructed of brickwork delineating each property.

The outline element of the application proposes the construction of four dwellings. The supporting plans and information provide an indicative layout for these units, with three

proposed centrally within the site and a fourth at the junction between West View and Butterwick Road, adjacent to 46 Butterwick Road.

All properties are proposed to be accessed from West View, the application proposing localised road widening along West View, which is included within the red line boundary of the application site.

The indicative layout shows a new footpath to the rear of 40 to 46 Butterwick Road, connecting with an existing path that runs around the perimeter of the site. New hedgerow planting is shown around the boundary of the site, along with new grass verges internally in the site.

### **Material considerations**

Planning permission is sought to demolish buildings on the site and convert existing farm buildings to create three dwellings, alongside the construction of four new dwellings within the site. The application has been submitted in a hybrid form, with full planning permission sought to convert the farm buildings and outline planning permission sought to construct four new dwellings within the site. Access, landscaping, appearance, layout and scale are all matters which are reserved for future consideration. Assessment of the outline element of this application therefore concerns whether or not the principle of new housing in this location is acceptable.

### **The main issues in the determination of this application are:**

- **principle of development**
- **highway safety**
- **design and heritage impacts**
- **residential amenity**
- **ecological impacts**
- **flood risk and drainage.**

### **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Appleby Neighbourhood Plan also forms parts of the development plan for applications in this area.

Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The application site comprises existing farm buildings and land within the development limits of Messingham, identified within the Core Strategy as a rural settlement, which policy CS1 of

the Core Strategy seeks to support as a thriving sustainable community. It states that development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility, and that any development that takes place should be in keeping with the character and nature of the settlement.

Through policy CS3 of the Core Strategy, the council has identified a number of settlement boundaries for settlements throughout North Lincolnshire. The application site lies within the settlement boundary for Messingham as defined in the Housing and Employment Land Allocations DPD. Development beyond these limits is restricted by this policy.

Policy CS8 of the Core Strategy deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. It states that that new housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

The overall strategy for North Lincolnshire, as set out in policy CS2 of the Core Strategy, identifies a sequential approach for development within North Lincolnshire: firstly in Scunthorpe, followed by the market towns and then rural settlements. The bulk of housing requirement for North Lincolnshire under this strategy is allocated for Scunthorpe at 82% of the total housing requirement with 18% in the market towns of Barton upon Humber, Brigg, Crowle, Kirton in Lindsey and Winterton. There are no allocated housing sites within the rural settlements, with the overall housing requirement expected to be delivered within the main settlements within North Lincolnshire.

The application site is within the development limits of Messingham, in a location which is a short walk from the centre of the village. Residents here would have good access to local services and facilities, and would benefit from access to public transport, with bus stops situated along High Street and Scotter Road. New dwellings in this location would be consistent with the spatial distribution aims for development established within the development plan, and would be well positioned in relation to local services and facilities.

In view of the above, the development would be considered sustainable and would be acceptable as a matter of principle in accordance with policies CS1, CS2, CS3 and CS8 of the North Lincolnshire Core Strategy.

### **Design and heritage impacts**

Core Strategy policy CS5 states, ‘...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy DS1 of the local plan states that a high standard of design is expected in all developments in both built-up areas and the countryside. Amongst other requirements, policy DS1 states that development must ensure the retention of those existing site features that make an important contribution to the character or amenity of the site or the surrounding area.

Policy H5, which is part saved, seeks to ensure development is in keeping with the scale and character of the settlement, and that the scale, layout, height and materials of the

development are in keeping and compatible with the character and amenity of the immediate environment, amongst other requirements.

The council's HER Officer has been consulted on the application and identifies the inclusion of the farm buildings on the historic environment record. Due to the historic and architectural interest of the farm buildings, they are considered non-designated heritage assets and possess a degree of significance worthy of consideration in the assessment of any planning application for their development.

Paragraph 203 of the NPPF states that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. It states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Through policies DS1 and HE5 of the local plan, the council seeks to ensure good design and the preservation, restoration and continued use of buildings of special architectural and historic interest. Policy CS6 of the Core Strategy promotes the effective management of North Lincolnshire's historic assets, and seeks to protect the character and setting of historic buildings.

Full planning permission is sought in relation to the conversion of the existing farm buildings to provide three dwellings. Some localised rebuilding work is required to address areas of disrepair within the buildings. Overall, the conversion scheme would have a positive impact upon the character and appearance of these buildings, restoring the character of the barns and bringing them back into use.

Paragraph 211 of the NPPF states local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. Given that the building works may involve the loss of some parts of the farm buildings through rebuilding, it is recommended that a condition be imposed to secure a programme of archaeological works to cover the conversion process.

The site is in an area of archaeological interest where remains of prehistoric and Roman date can be anticipated. Policy HE9 of the local plan indicates that where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment should be submitted prior to the determination of a planning application.



The archaeological potential of the area currently remains unknown; however, based on the findings of the heritage assessment, the council's HER Officer recommends that a condition be imposed to secure archaeological monitoring and recording during all groundworks within the application site. This is capable of being secured by means of an appropriately worded condition.

Subject to accordance with such a condition, the proposed development is considered to be acceptable in terms of its impact upon non-designated heritage assets within the site and would provide measures to avoid harm to potential features of archaeological interest uncovered during development.

In terms of design more generally, the application has been supported by a site plan which shows an indicative layout for the four new build properties. Detailed designs for the new dwellings are not provided as part of this application as matters of layout, scale and appearance are reserved for future consideration.

The indicative layout shows one way in which the development could be delivered. This layout would provide suitable garden areas for each property and an appropriate arrangement which utilises the available space within the site well.

Concerns have been raised by residents in respect of the scale of dormer bungalows and resultant impacts upon residential amenity, which are considered in more detail below; however, as the detailed design would be dealt with at a later stage, these concerns would be insufficient to justify withholding planning permission.

Overall, the design of the conversion scheme would safeguard non-designated heritage assets of local significance and are considered to be sympathetic in their design. The indicative layout for further dwellings within the site would suggest that four units could be reasonably accommodated without compromising the setting of the farm buildings, and would not lead to an over-development of the site. Details of access, landscaping, layout, appearance and scale are reserved for future consideration; however, at this stage, officers are satisfied that a suitable scheme could be delivered which is appropriate in terms of its design and being responsive to local character and distinctiveness.

The application is considered acceptable in respect of the above in accordance with policies DS1, H5, H8 and HE9 of the local plan, policies CS5 and CS6 of the Core Strategy, and the aims of the NPPF.

### **Highway safety**

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the local plan states that all proposals should be provided with a satisfactory access. Policy T19 relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 of the Core Strategy is also relevant and seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

Paragraph 114 seeks, amongst other requirements, that developments ensure safe and suitable access to the site can be achieved for all users. Paragraph 115 of the NPPF makes

clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The highway authority has been consulted on the application and raises no objections subject to a number of conditions. From the information provided it is not clear whether the access road to the development and footway link to Hewson Street are to remain private or to be offered up for adoption. The highway authority advises that it is generally accepted that private drives should provide access to no more than five dwellings which are wholly served by the private drive.

Access into the site is proposed to be taken from West View, with sufficient parking provided or capable of being provided for each unit within the site. Detailed access arrangements, including road widening, are recommended to be secured by means of an appropriately worded planning condition, given that they incorporate elements of the development for which outline planning permission is sought.

All dwellings proposed in the application would be accessed from West View and, given the nature of the application, it is unclear whether all dwellings are proposed to be served by a private drive, or whether elements of the road layout would be offered up for adoption. As layout and access are matters reserved for future consideration as part of the outline element of the application, conditions can be imposed to secure further details and the developed design can be assessed to ensure an appropriate number of properties utilise private driveways. Similarly, as part of any future application, consideration would be given as to whether any proposed footpaths are suitable, appropriate for their location and capable of being built to adoptable standards where required.

Having regard to the above, it is considered that the development is capable of being served by a suitable access in accordance with the requirements of policy T2 of the North Lincolnshire Local Plan. Adequate parking would be provided within the site to accommodate the parking requirements of the proposed residential dwellings. Subject to accordance with conditions as recommended by the highway authority, the proposed development would not be considered prejudicial to road safety and would be acceptable in accordance with policies T1, T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the NPPF.

### **Residential amenity**

Policy DS1 of the local plan seeks to secure a high standard of design in new developments, and states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking and overshadowing.

Policy DS11 of the local plan indicates that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Policy H5 of the local plan seeks, amongst other requirements, that development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings, and that adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwellings could expect to enjoy.

Paragraph 135 of the NPPF seeks to ensure that new developments will function well, are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.

The proposed conversion of the barns on site would see the creation of three units within proximity of one another. Units 1 and 2 would have outlooks over the central garden areas, whilst the creation of new openings on the east-facing elevation would provide occupants of unit 3 with an outlook across the garden to the side. The proposed arrangement would reduce the level of intervisibility and overlooking between properties, ensuring that acceptable standards of amenity would be provided for future occupants. By virtue of the separation distance and arrangement of properties within Hilltop Gardens, it is considered that adequate standards of privacy would be maintained for occupants of existing dwellings. This would be aided by the lack of new openings proposed in the northern elevation of the barn, which also helps to maintain the character of the building.

Concerns have been raised about the potential impacts of the proposed new building development within the site. Outline planning permission is sought for this element and all matters are reserved for future consideration. Applications for approval of reserved matters in respect of these plots would consider the detailed design for each unit and at this point an assessment would be made as to the impacts of the development.

A number of objections raise concerns about the potential for overlooking and loss of privacy arising from the proposed development. It is acknowledged that properties nearby have an intimate relationship with the application site, and that a number of properties have relatively low boundary treatments.

Whilst the plans show four dormer bungalows, these are noted within supporting information as being indicative in respect of the new build development for which outline permission is sought. Planning permission is sought to construct four dwellings and the description is not specific in terms of the type of properties to be constructed. Matters of scale, layout and appearance are reserved for future consideration and therefore the detailed design of the development would need to consider the scale and layout of properties within the site as well as the arrangement of openings to ensure that issues such as loss of privacy, overbearing impacts, loss of sunlight/daylight and outlook are not caused.

Conditions are recommended by the council's Environmental Protection team to restrict hours of operation and secure a construction environmental management plan to protect the amenity of residents during construction works. Conditions are also recommended to secure asbestos surveys and methodology for removal; however, as the disposal of asbestos is controlled by alternative legislation in line with PPG, it is not considered necessary to impose planning conditions in the event that permission is granted.

Officers are satisfied that the part of the site on which outline planning permission is sought is capable of being developed without compromising existing living conditions for occupants of neighbouring properties. The precise detail of this element of the proposal is reserved for future consideration as outlined above. At this stage, it is considered that the proposals when

taken as a whole would comply with the requirements of policies DS1, DS11, H5 and H8 of the local plan, policy CS5 of the Core Strategy, and the aims of the NPPF.

## **Ecological impacts**

Policy CS17 of the Core Strategy states that the council will promote effective stewardship of North Lincolnshire's wildlife in a number of ways, including through ensuring development retains, protects and enhances features of biological and geological interest, and by ensuring development seeks to produce a net gain in biodiversity and ensuring any unavoidable impacts are appropriately mitigated for.

The application has been supported by ecological appraisal and biodiversity net gain assessment. The survey results found old bird nests in the barns with possibilities of nesting birds present at the site. The barns were also considered to provide potential for bats, and further targeted surveys to detect the presence or otherwise of bats has been undertaken. These surveys revealed that no bats were utilising the existing farm buildings but were using the area for foraging. Mitigation and precautionary measures are proposed within the supporting survey work, details of which can be secured by means of an appropriately worded condition.

The supporting ecological appraisal identifies a baseline of 0.6352 habitat units on the site, with landscaping proposals including medium-sized tree planting capable of producing 0.8022 habitat units at the site. Combined with on-site hedgerow creation and enhancement, the survey finds that the proposed development would lead to net gains for biodiversity of approximately 26% for habitat units and approximately 26% for hedgerow units.

Based on the findings of the ecological survey and biodiversity net gain assessment, it is considered that the proposals would safeguard protected species and deliver net gains for biodiversity. Conditions are recommended to secure mitigation and enhancement measures. Accordance with these conditions would ensure that the proposed development is acceptable in accordance with policies CS5 and CS17 of the Core Strategy, and the aims of the NPPF.

## **Flood risk and drainage**

Collectively, policies DS16 of the local plan and CS19 of the Core Strategy, which concern flood risk, seek to direct new development to areas at lower risk of flooding by avoiding areas of current or future flood risk, and seek to ensure proposals do not increase the risk of flooding elsewhere. Policy DS14 of the local plan also seeks to ensure that adequate drainage provision is made for new developments.

The application site is within flood zone 1 and is therefore at a low risk of flooding. Whilst the development is not major development, localised concerns about drainage and sewerage capacity have been considered. The LLFA/Drainage team has been consulted on the application and notes that detailed arrangements for the drainage of hard paved areas within the site have not been provided.

Initial concerns about the lack of surface water public sewers nearby have been addressed through the submission of an outline drainage strategy, which proposes volume control measures for surface water drainage. Having reviewed the submitted strategy, the LLFA/Drainage team has no objections subject to accordance with conditions to secure detailed drainage schemes for the site. Subject to accordance with such conditions, the proposed development would not be considered to be at risk of flooding or give rise to potential flooding issues, and would make adequate provision for drainage and foul sewage

in accordance with the requirements of policies DS14 and DS16 of the local plan, policy CS19 of the Core Strategy and the aims of the NPPF.

## **Conclusion**

The principle of the development is considered to be acceptable and would see the re-use of redundant buildings at the site combined with the delivery of new housing within the development limits of Messingham.

The development would safeguard non-designated heritage assets through the sensitive approach to the conversion of the existing farm buildings, with new development capable of contributing positively to the character and appearance of the area.

The development can be undertaken without compromising living conditions for occupants of nearby dwellings, and would provide adequate standards of amenity for future residents of the site. As outline planning permission is sought for the proposed new build dwellings, details of scale, layout and appearance are reserved for future consideration. Impacts of the development on the amenity of nearby properties would be undertaken at reserved matters stage; however, based on the indicative layout officers are satisfied that the site could accommodate the number of units proposed.

The proposed development has been assessed for its impact upon the safety of the highway network. There are no known safety issues in the vicinity of the site, and as such the highway authority has raised no objections in their response to this application, subject to the imposition of a number of planning conditions to secure localised road widening on West View.

The development would deliver net gains for biodiversity, a matter which weighs in favour of the application. The development would also avoid harm to protected species, with conditions recommended to secure enhancement and mitigation measures outlined in supporting surveys.

There are no flooding risks associated with the site, and conditions can be imposed to secure adequate drainage arrangements to serve the development. In addition, conditions are recommended to secure a watching brief over excavations to ensure any features of archaeological interest are recorded, as well as an historic building record to advance understanding of the non-designated heritage asset.

Subject to accordance with conditions outlined below, which are separated into conditions relating to the full and outline elements of the application, Members are advised that planning permission be granted.

## **RECOMMENDATION**

**Grant full planning permission to partially demolish, rebuild and convert existing farm buildings to form 3 new dwellings with new access, and outline planning permission to erect 4 new dwellings with new access (access, appearance, landscaping, layout and scale reserved for subsequent consideration):**

***the grant of full planning permission to partially demolish, rebuild and convert existing farm buildings to form 3 new dwellings with new access, subject to the following conditions:***

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

625.01 Rev B – Location Plan – Full Planning  
625.11 Rev A – Location Plan – Hybrid Application  
625.06 Rev E – Scheme Site Plan  
625.05 Rev D – Scheme Outbuilding Plans  
625.07 Rev C – Scheme Outbuilding Elevations.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of—

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light: The CEMP shall set out the particulars of—

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) the location of any temporary floodlights;
- (d) the identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of—

- (a) site dust monitoring, recording and complaint investigation procedures;

- (b) the identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) the provision of water to the site;
- (d) dust mitigation techniques at all stages of the development;
- (e) the prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a 'no burning of waste' policy.

Reason

To protect amenity of nearby receptors and railway infrastructure during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

4.

Construction, demolition, site clearance operations, site set up and equipment installation shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public holidays.

No HGV movements shall be made to or from the site outside these hours during the construction phase of the development.

Reason

To protect the amenity of nearby receptors during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

5.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to any further development commencing on the site.

Reason

To protect human health and the amenity of nearby receptors during construction, in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

6.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

#### 7.

The development hereby permitted shall not be occupied until details of the proposed carriageway widening of West View have been submitted to and approved in writing by the local planning authority. Thereafter, road widening of West View shall be undertaken in accordance with the approved details and completed prior to occupation of any dwellings on the site.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

#### 8.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and, once provided, the vehicle parking and turning facilities shall be retained.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

#### 9.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority



to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

10.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private drive';

which shall first be submitted to and approved in writing by the local planning authority. Once constructed the private driveway shall be retained.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

11.

The development hereby permitted shall not be occupied until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be constructed in accordance with the approved details prior to the occupation of any dwelling on the site.

#### Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

12.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

13.

Notwithstanding the detail contained within the application, no external lighting shall be installed at the site unless details have first been submitted to and approved in writing by the local planning authority. Thereafter, any external lighting shall be installed and maintained in accordance with the approved details.

Reason

To protect the amenity of local residents from light pollution and to avoid harm to protected species of wildlife, in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

14.

The development hereby permitted shall not be brought into use until a scheme for the provision of surface water drainage has first been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run-off from the existing site. The scheme shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased.

The drainage scheme shall include details of measures to prevent surface water run-off from hard paved areas within the site onto the highway, and from the highway onto the site.

Once approved, the drainage scheme shall be implemented in full prior to first occupation of the dwellings and thereafter retained and maintained in accordance with the approved scheme.

Reason

To prevent the increased risk of flooding of the site, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and the aims of paragraphs 165 to 175 of the National Planning Policy Framework.

15.

No demolition of, or alterations to, the traditional farm buildings shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy to be defined in a written scheme of investigation that has

been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the preservation by record of the traditional farm buildings to Historic England's Level 2 recording specification
- (ii) measures to ensure the preservation by record of any archaeological features of identified importance within the footprint of the development
- (iii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iv) post-fieldwork methodologies for assessment and analyses
- (v) report content and arrangements for dissemination, and publication proposals
- (vi) archive preparation and deposition with recognised repositories including the digital archive with the ADS
- (vii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (viii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (ix) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan because the site contains non-designated built heritage assets and the potential for archaeological remains. The recording works will ensure that such evidence is appropriately recorded and a permanent archive created.

16.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

17.

The permitted operation of the site shall not commence until any post-investigation assessment has been commissioned in accordance with the programme set out in the

approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

18.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within six months of commencement of the archaeological programme of work, or such other period as may be agreed in writing by the local planning authority.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

19.

Within three months of the commencement of development, the applicant, or their successor in title, shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include, but not be limited to:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support a variety of farmland birds;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) prescriptions for the planting and aftercare of native trees and mixed native hedgerows of high biodiversity value;
- (e) prescriptions for the creation and ongoing management of at least 0.53 hectares of species-rich and structurally varied neutral grassland;
- (f) details to confirm that the measures proposed will provide a measurable net gain in biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the road widening works on West View and subsequent conversion of the barns.

#### Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

20.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the last dwelling at the site, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

21.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

22.

Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any other Order amending, revoking or re-enacting that Order, no further alterations, extensions, porches, outbuildings or new openings shall be constructed or made unless planning permission has first been granted by the local planning authority.

Reason

To ensure the character of the buildings, identified as non-designated heritage assets, is preserved in accordance with the aims of policy CS5 of the North Lincolnshire Core Strategy.

***and the grant of outline planning permission to erect 4 new dwellings with new access (access, appearance, landscaping, layout and scale reserved for subsequent consideration) subject to the following conditions:***

23.

Approval of the details of the access, scale, layout, external appearance of the buildings and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

24.

Plans and particulars of the reserved matters referred to in condition 23 above, relating to the access, layout, scale, external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

25.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

26.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

27.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 625.10 Rev A – Location Plan Outline Planning
- 625.11 Rev A – Location Plan – Hybrid Application
- 625.06 Rev E – Scheme Site Plan.

Reason

For the avoidance of doubt and in the interests of proper planning.

28.

No development shall take place on the construction of any dwellings proposed in the outline application until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

29.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and, once provided, the vehicle parking and turning facilities shall be retained.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

30.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

31.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private drive';
- (vii) which shall first be submitted to and approved in writing by the local planning authority. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

32.

The development hereby permitted shall not be occupied until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be constructed in accordance with the approved details prior to the occupation of any dwelling on the site.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy, and the aims of the National Planning Policy Framework.

33.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety, in accordance with policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy and the aims of the National Planning Policy Framework.

34.

The development hereby permitted shall not be brought into use until a scheme for the provision of surface water drainage has first been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run-off from the existing site. The scheme shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased.

The drainage scheme shall include details of measures to prevent surface water run-off from hard paved areas within the site onto the highway, and from the highway onto the site.

Once approved, the drainage scheme shall be implemented in full prior to first occupation of the dwellings and thereafter retained and maintained in accordance with the approved scheme.

35.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a written scheme of investigation that has been submitted to, and approved in writing, by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:



- (i) measures to ensure the preservation by record of archaeological features within the footprint of the development
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories including the ADS
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy. The archaeological programme will ensure that such evidence is appropriately recorded, and a permanent archive created.

36.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

#### Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

37.

The final dwelling shall not be occupied until any post-investigation assessment has been commissioned in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

#### Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

38.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within 12 months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

**Reason**

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Local Plan.

39.

Within three months of the commencement of development, the applicant, or their successor in title, shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include, but not be limited to:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support a variety of farmland birds;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) prescriptions for the planting and aftercare of native trees and mixed native hedgerows of high biodiversity value;
- (e) prescriptions for the creation and ongoing management of at least 0.53 hectares of species-rich and structurally varied neutral grassland;
- (f) details to confirm that the measures proposed will provide a measurable net gain in biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the road widening works on West View and subsequent conversion of the barns.

**Reason**

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

40.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

## Informatives

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

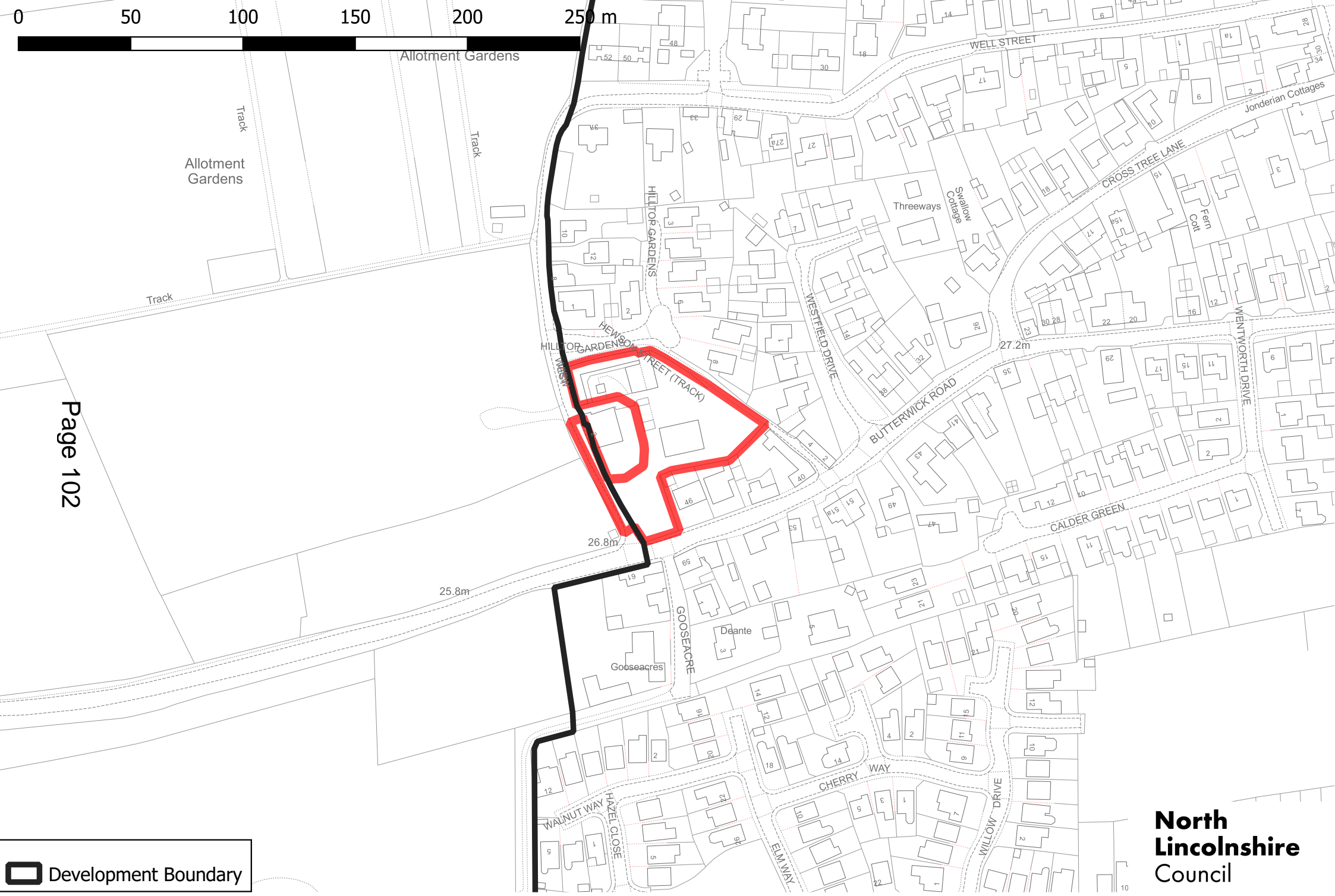
3.

The proposals rely on a new (restricted discharge) connection into the highway drainage system on West View. This is not a public sewer and therefore the developer has no 'as of rights' connection into this drain. Any additional flows into this drain must be fully modelled by the developer and upgrades to this drainage system may be required to facilitate the connection (at the developer's expense). This must be consented by North Lincolnshire Council's LLFA Drainage team, in their capacity as Lead Local Flood Authority, through an ordinary watercourse consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team on 01724 297522 or via email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk) for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

4.

For your information the LLFA Drainage team no longer permits the use of connected private surface water drainage systems which are reliant on one outfall/property owner, unless a robust adoption and maintenance plan is produced and made known to all property owners. The reliance on one owner to maintain a drainage system, if not maintained, can cause civil and legal disputes moving forward with several neighbouring properties. This is an approach that other local authorities are adopting. There is no reason why each property cannot have their own individual surface water drainage outfall. This is not a good solution unless it is a public sewer and adopted by the water company.

0 50 100 150 200 250 m



Allotment Gardens  
Track

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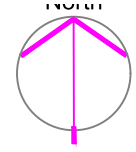
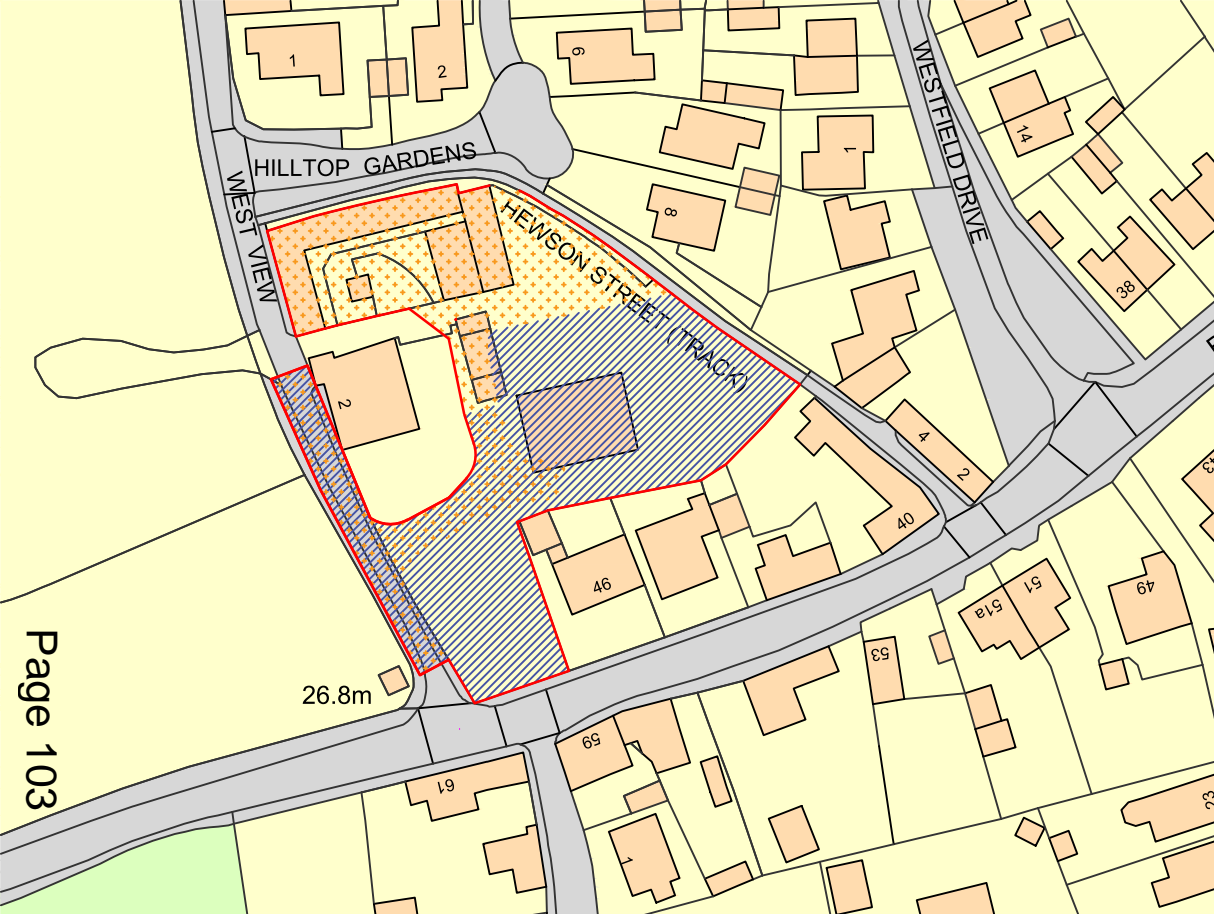
 Development Boundary

**PA/2023/1583**

**North  
Lincolnshire  
Council**

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# PA/2023/1583 Extents of full and outline elements (not to scale)

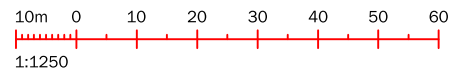


Issue Status			
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Revision	Drawn	Check	Date
A Planning issue	KK	HM	21.09.2023

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- Full Planning Extents
- Outline Planning Extents

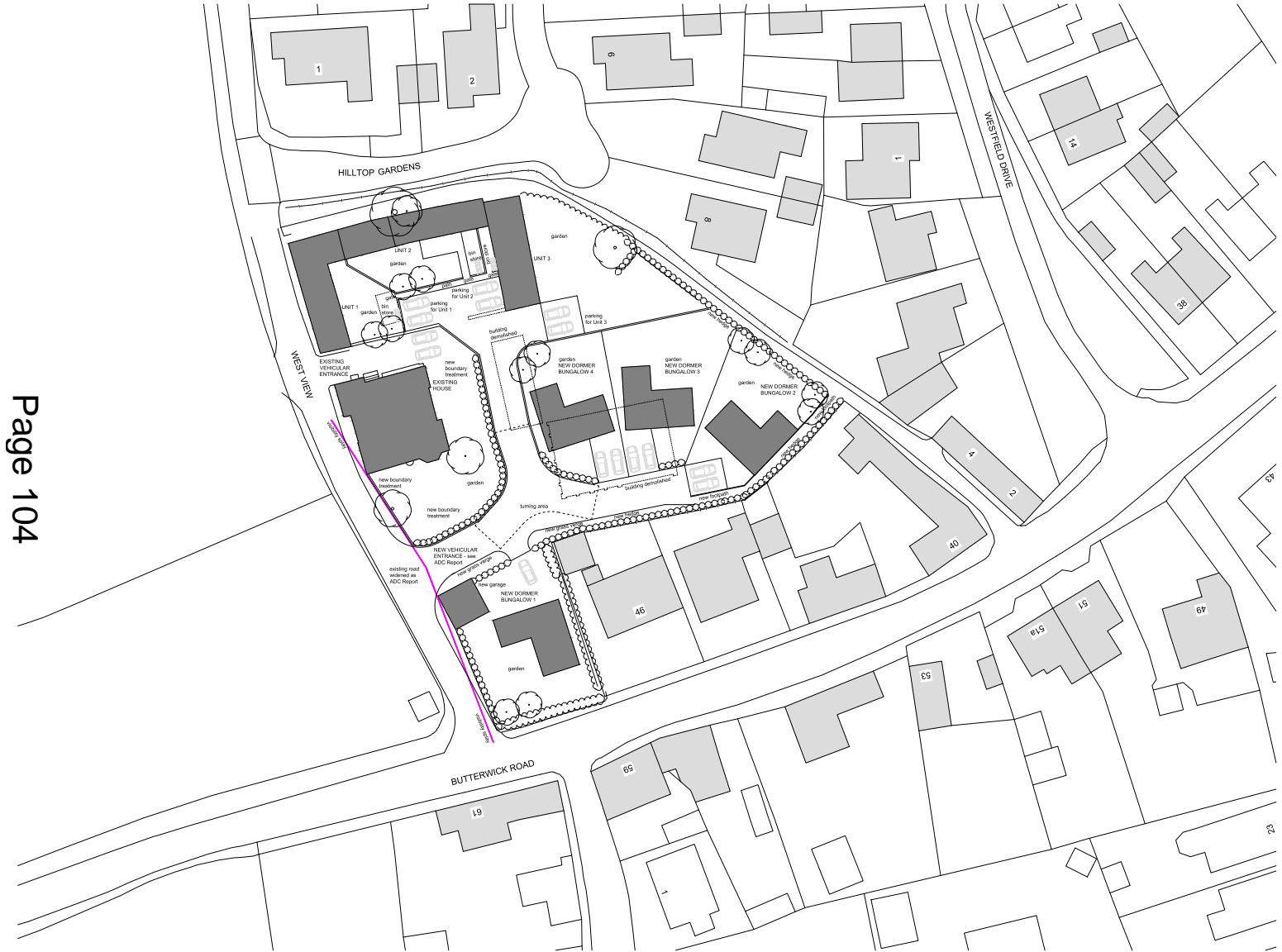


client <b>DDM Agriculture</b>			
project <b>Whaplate Farm, Messingham Residential Development</b>			
drawing Location Plan Hybrid Application	drwg. no. 625.11	revision A	
date 21.09.23	scale 1:1250@A4	drawn KK	check HM

**Kelly &  
MacPherson**  
ARCHITECTS

Kelly & MacPherson ARCHITECTS





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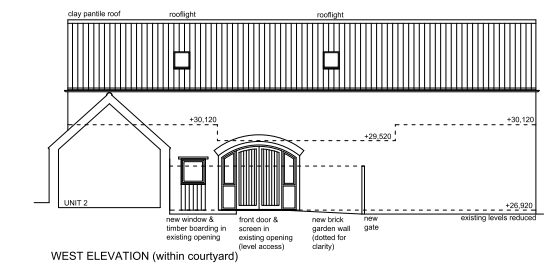
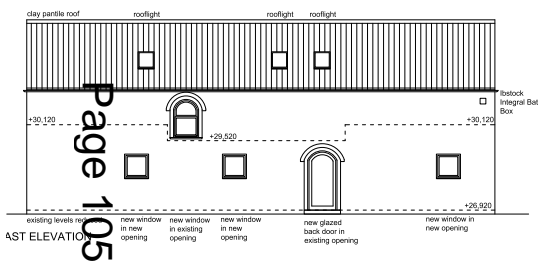
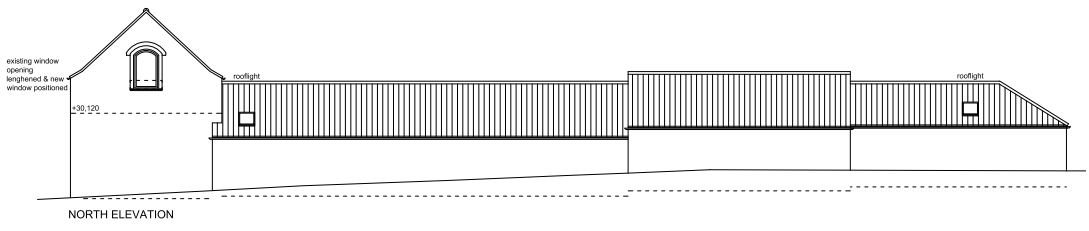
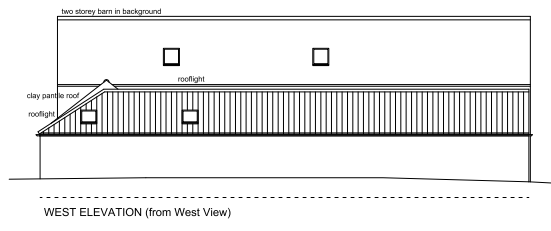
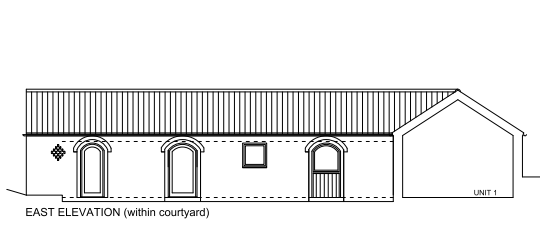
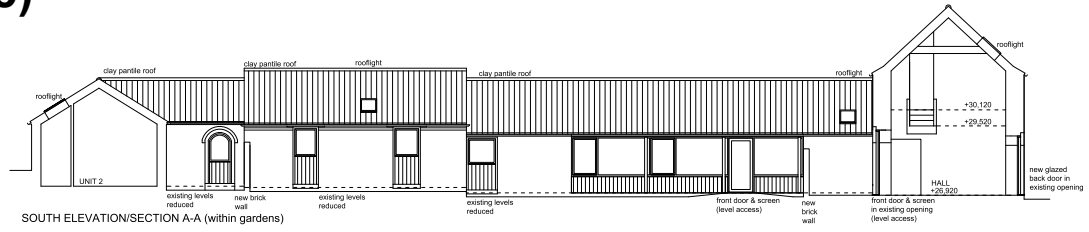
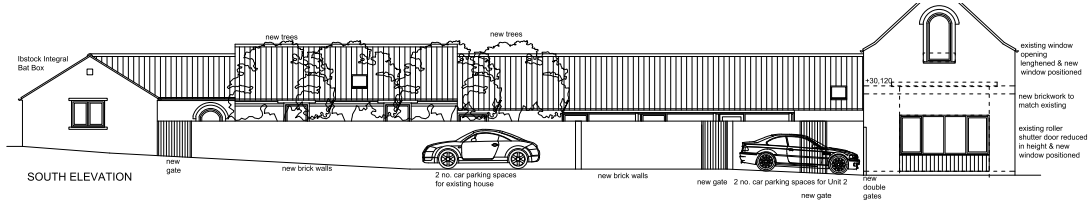
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Issue Status			
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Revision	Drawn	Check	Date
A DRAFT issue for Client/SE & Transport Consultant	HM	KK	07.06.2023
B DRAFT issue for Client	HM	KK	15.06.2023
C Layout amended	HM	KK	13.07.2023
D Layout amended further to ADC input	HM	KK	16.08.2023
E Hedge added to house boundary	HM	KK	22.08.2023

client <b>DDM Agriculture</b>			
project Whaplate Farm, West View, Messingham			
drawing Scheme Site Plan	drawn no. 625.06	checked HM	revision E
date 07.06.23	scale 1:500@A2	drawn HM	checked KK
Tel: 01472 851732 Mobile: 07801 081799			

# PA/2023/1583 Outbuilding elevations (not to scale)



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Issue Status			
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Revision	Drawn	Check	Date
A	HM	KK	10.06.2023
B	KK	HM	16.06.2023
C	HM	KK	29.08.2023

Client <b>DDM Agriculture</b>	
Project <b>Whaplate Farm, West View, Messingham</b>	
Scheme Outbuilding Elevations	Area 625.07
07.06.23	1:100@A1
HM	KK

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<b>APPLICATION NO</b>	<b>PA/2023/1600</b>
<b>APPLICANT</b>	Mr Quirke
<b>DEVELOPMENT</b>	Planning permission for a replacement dwelling
<b>LOCATION</b>	Langley Cottage, Main Street, Howsham, LN7 6LE
<b>PARISH</b>	<b>CADNEY</b>
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Emmanuel Hiamey
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Support by Cadney cum Howsham Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

2 Achieving sustainable development.

4 Decision-making

5 Delivering a sufficient supply of homes.

9 Promoting sustainable transport.

11 Making effective use of land.

12 Achieving well-designed and beautiful places.

14 Meeting the challenge of climate change, flooding, and coastal change

### **North Lincolnshire Local Plan:**

RD2 Development in the open countryside

RD10 Replacement, alteration, and extensions to dwellings in the open countryside

H5 New housing development

H8 Housing design and housing mix

DS1 General requirements

T1 Location of development

T2 Access to development

T19 Car parking provision and standards

DS14 Foul sewage and surface water drainage

DS16 Flood risk

LC7 Landscape protection

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development.

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS7 Overall housing provision

CS8 Spatial distribution of housing sites

CS19 Flood risk

CS25 Promoting sustainable transport.

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS11 Development limits

RD1 Supporting sustainable development in the countryside.

DQE5 Managing flood risk.

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport.

T2 Promoting public transport.

T4 Parking

**Supplementary Planning Guidance:**

SPG3 Design in the countryside

**CONSULTATIONS**

**Ecology:** Objects to the application.

**Public Rights of Way:** No objections subject to informative comments.

**Highways:** No objections subject to conditions and informative comments.

**Environmental Protection:** No objections subject to conditions.

**LLFA Drainage:** No objections subject to informative comments.

**Neighbourhood Services:** No objection.

**PARISH COUNCIL**

Supports the application, making no further comment.

**PUBLICITY**

A site notice has been displayed – no comments have been received.

**ASSESSMENT**

**Planning history**

PA/2023/672: Planning permission to erect a two-storey extension and make alterations to the existing cottage – approved with conditions 14/06/2023.

**Constraints**

SFRA Flood Zone 1

Outside the development boundary

**Site description and proposal**

Planning permission is sought to erect a replacement dwelling at Langley Cottage, Main Street, Howsham. The site is outside the development boundary of Howsham and therefore in the open countryside.

The site currently contains a two-storey, white-rendered property in extensive grassed land, with tree planting to the westernmost part of the site, and extensive shrub and hedge planting to the boundaries. The applicant has indicated that the existing dwelling has suffered structural failures and is considered unsafe and unsuitable.

This proposal seeks to replace the existing two-storey dwelling with a larger one-and-a-half-storey dwelling and detached garage.

The replacement dwelling will be positioned on the same footprint as the existing dwelling. However, the total footprint would exceed the footprint of the existing dwelling. The volume of the existing dwelling is around 340 square metres, whilst the volume of the replacement dwelling would be around 1,049 square metres.

The proposed site is accessed via a track road between 10 and 11 Main Street, which also serves as Public Footpath 281, from Main Street to Langley Cottage. This existing access will be retained as the only access to the site, and a driveway and turning area will be formed within the site.

As indicated earlier, this proposal includes the demolition of the existing dwelling and the erection of a replacement dwelling and detached garage.

The proposed dwelling would be a one-and-a-half-storey detached house. It would have an open-plan living, kitchen and dining area on the ground floor, together with a utility room, snug and study. On the first floor, the dwelling would have four bedrooms.

In the northeast elevation, facing the road, the proposal would have modern slit windows on the ground floor. At the centre of this elevation, it would have full-height glass windows (glass panels on each side of the entrance door and a picture window on the first floor). The proposal would also have two box dormers on the first floor.

In the southwest elevation (rear), the dwelling would have modern slit windows and patio doors on the ground floor and two dormer windows, plus a balcony on the first floor.

In the northwest elevation (gable) the dwelling would have a door on the ground floor serving the utility room and a rooflight. In the southeast elevation (gable), the dwelling would have rooflights.

The walls of the dwelling would be finished in bricks and render, and the roof covering would be tile.

The applicant was made aware that the proposal would not meet the requirement under policy RD10, which requires that a replacement dwelling should not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normally permitted development rights.

Following discussions, the applicant submitted a justification statement. The statement indicates that the new property has been designed to meet the functional needs of the client and his family, and although larger than the original house, is still considered modest in size for a new dwelling on such a large plot.

The statement indicates that this increase in volume is down to the existing house being quite small. The existing house (although no plans are available) has three small bedrooms and only one small bathroom, covering around 100 square metres. The rooms are all small, except for the later extension. The original cottage had low ceilings and a low-pitched roof, which further kept its overall volume low.

Further, the old house was a basic cottage, built to modest proportions, unsuitable for modern family living, the client's needs, and the plot. The new house is a four/five-bedroom modern family house, with a footprint of around 335 square metres, and when considering this against similar rural properties, it is reasonable for a new family home, taking into consideration the

requirements for larger en-suite bedrooms, a study for home working, living and entertaining areas, and utility spaces.

The statement concludes that the overall volume of the designed house is kept down by the one-and-a-half-storey construction, whereas a two-storey property of the same floor area, would be much larger in volume.

Overall, the size of the property, its location and plot size should be considered as the footprint of the original house covers only 1.5% of the entire site. The proposed house still only covers around 4.6%. It is felt this increase is negligible in relation to the plot size, especially considering its relationship with/the lack of adjacent houses.

## **Key issues**

**The key issues to consider in determining this application are:**

- **the principle of development**
- **impact on the scale and character of the surrounding area**
- **impact on neighbouring amenities**
- **highway safety, access, and parking.**

## **Principle of the development**

The site is outside the development boundary of Howsham and therefore in the open countryside. It is worth noting that the replacement of an existing dwelling is one of the very few instances where new residential development is permitted in the countryside.

Policy RD2 of the local plan seeks to strictly control development in the open countryside. It states that planning permission will only be granted for development which falls within the following criteria:

- (i) essential to the efficient operation of agriculture or forestry
- (ii) employment-related development appropriate to the open countryside
- (iii) affordable housing to meet a proven local need.
- (iv) essential for the provision of outdoor sports, countryside recreation, or local community facilities
- (v) for the re-use and adaptation of existing rural buildings
- (vi) for diversification of an established agricultural business
- (vii) for the replacement, alteration, or extension of an existing dwelling
- (viii) essential for the provision of an appropriate level of roadside services or the provision of utility services.

Under section (vii) of policy RD2, development is supported for the replacement, alteration, or extension of an existing dwelling, provided that:

- (a) the open countryside is the only appropriate location and development cannot be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan;
- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design, and use of materials;
- (d) the development would not be detrimental to residential amenities or highway safety;
- (e) account is taken of whether the site is capable of being served by public transport; and
- (f) the development is sited to make the best use of existing and new landscaping.

Having reviewed the details of the proposal against policy RD2, it is judged that while policy RD2 is generally set out to regulate new housing in the countryside, and by and large requires such proposals to be allied to agriculture, forestry, rural businesses, recreation, tourism, sport and other uses normally located in the countryside, an exception has been identified at RD2 (vii) which makes conditional allowance for replacement dwellings. However, at RD2 (b) the policy sets out that any proposal should accord with the specific requirements as set out in the relevant policy within the local plan. In this regard policy RD10 is relevant.

Policy RD10 of the local plan states that proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

- (i) the replacement dwelling would not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normal permitted development rights, and would not be substantially higher in elevation;
- (ii) the volume of the proposed extension or alteration does not exceed that of the original dwelling by 20%, exclusive of the normally permitted development rights, and the original dwelling forms the dominant visual feature of the dwelling as extended;
- (iii) all new construction is of a high standard of design and in particular, reflects the architecture of the building and/or vernacular styles in the locality; and
- (iv) the appearance or use of the dwelling as replaced, extended or altered will not adversely affect the amenity of residents or the appearance of the locality.

Having considered the above criteria set out within policy RD10, the proposals would not comply with all of them.

Overall, the proposals are unacceptable in principle and therefore do not accord with policies RD2 and RD10

### **Layout, scale and appearance**

The NPPF attaches significant importance to the design of the built environment and recognises that good design is a key aspect of sustainable development. The NPPF stresses the importance of planning positively for the achievement of high-quality and inclusive design for all development, including individual buildings, public and private spaces, and wider area

development schemes. It maintains that planning policies and decisions should not attempt to impose architectural styles and they should not stifle innovation, originality, or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is recognised, however, that it is proper to seek to promote and reinforce local distinctiveness.

Policy DS1 of the local plan expects a high standard of design in all developments, in both built-up areas and the countryside, and proposals for poorly designed development will be refused. It requires that all proposals be considered against the quality of the design and amenity, among other matters. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy CS5 of the Core Strategy requires that all new developments in North Lincolnshire should be well-designed and appropriate for their context. The council will encourage contemporary design if it is appropriate for its location and is informed by its surrounding context. A design that is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

Policy RD10 of the local plan, among other criteria, requires that proposals to replace, extend or alter dwellings in the open countryside should not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normally permitted development rights, and would not be substantially higher in elevation. Furthermore, all new construction should be of a high standard of design and reflect the architecture of the building and/or vernacular styles in the locality, and the appearance or use of the dwelling as replaced, extended, or altered should not adversely affect the amenity of residents or the appearance of the locality.

As already indicated, the replacement dwelling will be positioned on the same footprint as the existing dwelling. However, the total footprint would exceed that of the existing dwelling. The volume of the existing dwelling is around 340 square metres, whilst the replacement dwelling would be around 1,049 square metres in volume. The existing access (track road) taken from Main Street will be retained, and a driveway and turning area formed within the site. Further, the proposed dwelling would be a one-and-a-half-storey dwelling.

In considering the siting and scale of the replacement dwelling, it is expected to be located on the site of the existing dwelling and be of a modest scale compared to the existing dwelling.

In this case, while the footprint of the dwelling would be over that of the existing dwelling, the increase in footprint by about 100%, excluding the footprint of the double garage, and a volume of 300% is disproportionate and would result in development in a conspicuous position along the track road which also serves as Public Footpath 281.

As indicated earlier, policy RD10 requires that proposals to replace, extend or alter dwellings in the open countryside should not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normal permitted development rights.

The primary purpose of this policy is to avoid dwellings which are disproportionate to the original dwelling, and that are excessive in scale or massing and thereby physically and visually intrusive. The replacement of the existing dwelling with the proposed disproportionate dwelling (over 100% increase in the footprint and 300% increase in volume) and imposing dwelling would radically change the character of the site and the surrounding area.

Turning to design and appearance, the essential issue is the impact on the character and appearance of the countryside compared to that of the existing dwelling. The replacement dwelling is expected to be of a high quality. In this case, the drawing shows a modern dwelling with full-height glass windows, slit windows and a balcony. The applicant has not taken advice from policies DS1 and CS5, or Supplementary Planning Guidance SPG3, which require that, in the countryside, it is important that new dwellings are designed and sited in harmony with the landscape, reflecting the distinct characteristics of the locality.

Regarding materials, the walls would be finished in a mix of brickwork and off-white render, and the roof covering would be tile. It is considered that the materials and finishes would not raise any planning issues.

Overall, the size, scale and design of the replacement dwelling are not acceptable. It is disproportionate and the design does not complement the countryside location. It would have a significant adverse visual impact due to its prominence. Therefore, the proposals would be contrary to policies DS1 and CS5.

### **Amenity impact**

Policies DS1 and CS5 expect a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused.

They require all proposals to be considered against criteria for quality of design, amenity impact, conservation and resources.

In terms of amenity impact, this policy seeks to ensure that there is no unacceptable loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust, or other nuisance, or through the effects of overlooking or overshadowing.

It is worth noting that the site is isolated and there are no residential dwellings near the site. Therefore, it is unlikely the proposal would raise any issues of privacy, overbearing impact, or overshadowing.

The proposal would therefore accord with policies DS1 and CS5 in terms of amenity impact.

### **Landscaping**

Policy LC7 of the local plan indicates that where development is permitted within rural settlements or the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.

Landscaping is defined as the treatment of land (other than buildings) to enhance or protect the amenities of the site and the area in which it is situated. Among others, it includes the following:

- (a) screening by fences, walls, or other means
- (b) the planting of trees, hedges, shrubs, or grass
- (c) the laying out or provision of gardens, and
- (d) the provision of other amenity features.



The level of detail required for a landscape scheme is dependent on the size, type and location of the new development, and its impact on the local area.

It is evident from the site inspection that this proposal involves the removal of small trees and shrubs and would have a potential ecological impact.

Within the design and access statement, the applicant has indicated that to ensure the retention of as many natural site elements as possible, any existing trees and hedges and fencing or boundary treatments, on or adjacent to the site, will be retained.

Good quality hard landscaping will be introduced to the new drive, such as subtle block pavers and gravel. The hardstanding will be laid to a slight fall to drain into the surrounding soft landscaping.

The hard-landscaped areas will be softened with incidental planting. All new planting will be of local, deciduous specimens, suitable for this situation and locality. The trees shall be planted as feathered whips or larger; shrubs shall be planted as at least 60–90 centimetre plants. All trees and shrubs shall be supported with appropriate stakes or canes and shall be weeded and maintained for at least five years. Any plants that become damaged or diseased shall be replaced in the subsequent planting season (November to the end of February).

The applicant has also shown the landscaping proposals on plan 1815 01 Site Plans.

Having reviewed the siting and scale of the development alongside the landscaping proposals, the development is proposed in prominent locations in the open countryside and there would be a significant loss of trees.

It is judged that a modest replacement of a dwelling would be more appropriate compared with the proposed grandiose house which radically changes the character of the site and the surrounding area. The planning authority would recommend that the applicant consider a lesser scale of dwelling that would minimise the loss of trees and the impact of the dwelling on the site and the character of the wider area.

## **Ecology**

Policy CS17 of the Core Strategy and paragraph 170 of the NPPF relate to biodiversity. Paragraph 170 states in part that a net gain for biodiversity should be achieved.

The site is not designated for any known ecological interest. However, the nature of the existing dwelling and the surrounding area requires that consideration be given to the protection of biodiversity. Accordingly, before any development (including the demolition of buildings), appropriate steps should be taken to check for the likely presence of any species protected by law,

It is worth noting that the application is supported by a biodiversity management plan. The report has considered the impact of the development on birds, bats, and hedgehogs. Notwithstanding the above, no survey has been submitted. The planning authority believes that a bat survey should have been carried out for the dwelling because it considers that bats may be present in the building. (A bat survey will usually be required for any application involving the demolition of buildings which are suitable for bats' habitat.)

From the above, the demolition of the existing dwelling has the potential to harm biodiversity in the area. Further, the development is expected to have an impact on foraging activities in the surrounding habitats due to the trees that would be removed.

The ecology officer objects to the application until a bat and nesting bird survey has been carried out and the findings considered. If permission is ultimately granted, there will be a need to secure a measurable net gain in biodiversity in accordance with policy CS17 and the National Planning Policy Framework.

The officer has commented that the building exhibits several features indicating an increased probability of a bat roost being present and no features indicating a decreased probability. Therefore, a programme of bat surveys should be requested and the results should be made available before the application can be determined. The bat survey should be carried out by a licensed and experienced bat worker and should include a detailed search for bat field signs. If it is not possible to draw clear conclusions from this search alone, then it may also be necessary to carry out at least one dusk/dawn emergence count, using standard methods. Such a survey would need to take place between May and September. Depending on the findings of the first survey, it may be necessary to carry out one or more further dusk/dawn counts, in accordance with the standing advice. Local meteorological data should be provided for the survey date(s) along with the survey results. The approach used and the survey effort applied must be clearly justified in the survey report to be submitted.

The officer has indicated that whilst carrying out the bat surveys, it will also be necessary for the ecologists to check for signs of nesting birds around any buildings and vegetation to be affected by the proposals.

As it stands, insufficient information has been submitted to ensure the protection of biodiversity in the area, and it is therefore contrary to policy CS17 and the National Planning Policy Framework.

### **Drainage**

Policy CS19 of the Core Strategy is concerned with flood risk. Policy DS14 of the local plan is concerned with foul sewage and surface water drainage. Policy DS16 of the local plan seeks to ensure that new development is not at risk from flooding.

The site lies within an area at low risk of flooding (SFRA flood zone 1). It is not considered there would be a risk of flooding on the site and adjacent land.

The LLFA Drainage team has assessed the proposal and has no objections subject to compliance with accompanying informative comments.

### **Highways**

Policy T2 of the local plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions, as well as general highway safety.

There is an existing access (track road) from Main Street. The access will be retained, and a driveway and turning area formed within the site. The access is shared; however, it is believed that the development will not result in a significant increase in traffic along the access.

Highways have no comments or objections to make on this application. It is therefore considered that the scheme is in accordance with policies T2 and T19.

## **Public Right of Way**

Comments have been received from the PROW officer in relation to Public Footpath 281, which coincides with the access to Langley Cottage from Main Street. They recommend that the applicant first satisfies himself so that he knows what form lawful authority takes for him and his other household members, and visitors, who will use the track road.

## **Conclusion**

The principle of development is unacceptable as the development is contrary to policies RD2 and RD10.

The siting and layout of the proposal are not acceptable because the footprint and volume of the dwelling would result in an excessive increase in that of the existing dwelling.

The scale of the replacement dwelling is considered unacceptable. It would harm the character of the site and the wider landscape of the rural area. The appearance would be unacceptable because it does not correspond to a traditional dwelling.

The proposal would not harm or have any amenity impact, by way of overshadowing, being overbearing or loss of privacy, as there are no residential properties close by. The proposal would therefore not accord with the policies of the North Lincolnshire Local Plan or the North Lincolnshire Core Strategy and is recommended for refusal.

## **RECOMMENDATION: Refuse permission for the following reasons:**

1.

The application site lies outside the development boundary, in the open countryside, an area where there is a presumption against inappropriate development. The proposed replacement dwelling is inappropriate development in the countryside by virtue of its floor space and volume (size and scale), which are materially greater than the existing building that is to be replaced. The proposed development would exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normally permitted development rights and is therefore contrary to policy RD10 of the North Lincolnshire Local Plan.

2.

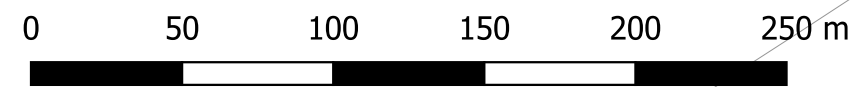
The proposed replacement dwelling, by virtue of its floor area, volume, bulk, and visual appearance, would be materially larger than the existing dwelling. The development would therefore constitute inappropriate development which would also further impact the openness of the countryside. No special circumstances have been advanced to justify the harm to the open countryside. The siting, layout and design are contrary to policy DS1 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy and the National Planning Policy Framework.

3.

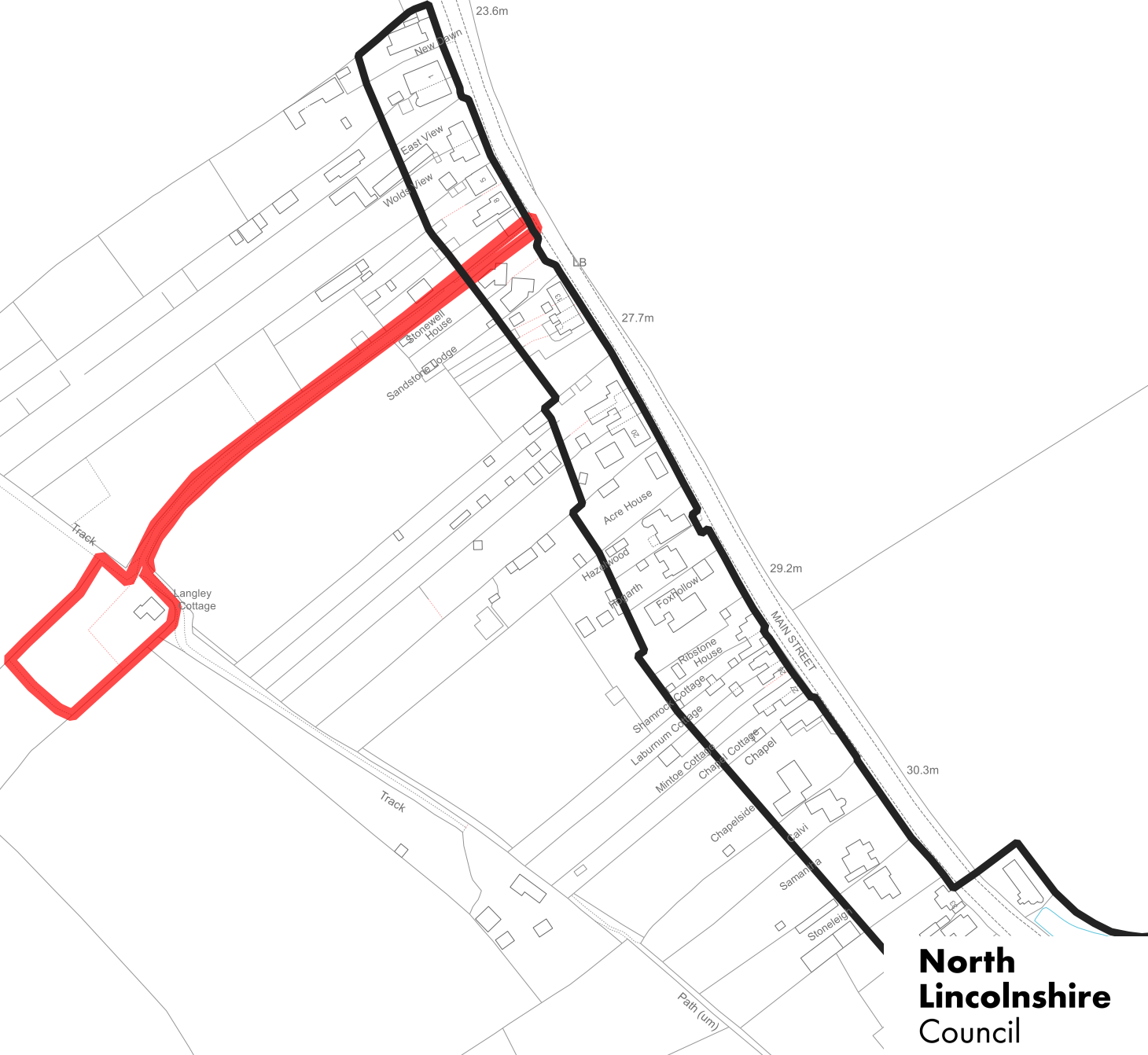
Insufficient information has been submitted to demonstrate that there would be no harm to protected species on the site and in the vicinity of the site, and that mitigation provided is adequate as part of the development. In the absence of survey information, it has not been possible to demonstrate that the proposal would not result in significant harm to protected species to comply with policy CS17 of the Core Strategy and the National Planning Policy Framework.

## **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social, and environmental conditions of the area.



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 Development Boundary

**PA/2023/1600**

**North  
Lincolnshire  
Council**

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# PA/2023/1600 Proposed layout (not to scale)

**NOTES:**

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be those drawings or associated documents are to be notified to keystonearchitecture.

Do not scale from these drawings - If in doubt - ask.

All materials shall be fixed, applied or mixed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystonearchitecture.

The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specification.

This drawing is the copyright of keystonearchitecture and must not be reproduced without written consent. © keystonearchitecture 2023

**PARTY WALL NOTICES**

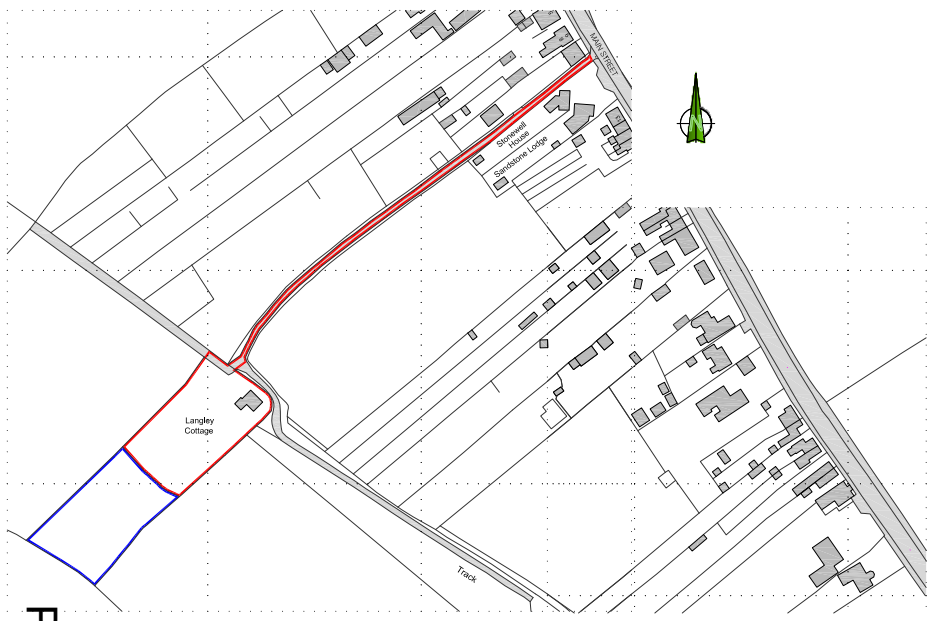
Building astride (A) or against (B) the boundary line:

If you plan to build a party wall astride or against the boundary line, you must inform the Adjoining Owner by serving a Notice.

Excavating near neighbouring buildings:

If you plan to excavate foundations within 3 metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

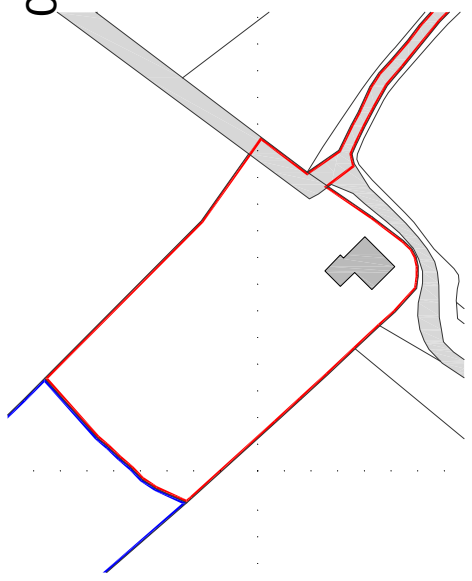
If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line drawn at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.



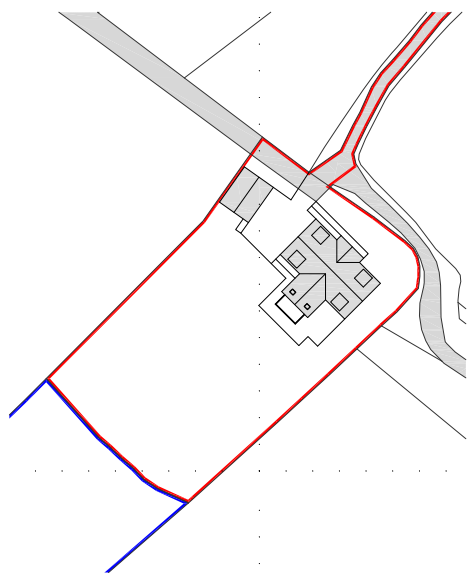
1:1250  
 0 25m 50m 75m 100m 125m  
 Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432

Location Plan  
 scale 1:1250

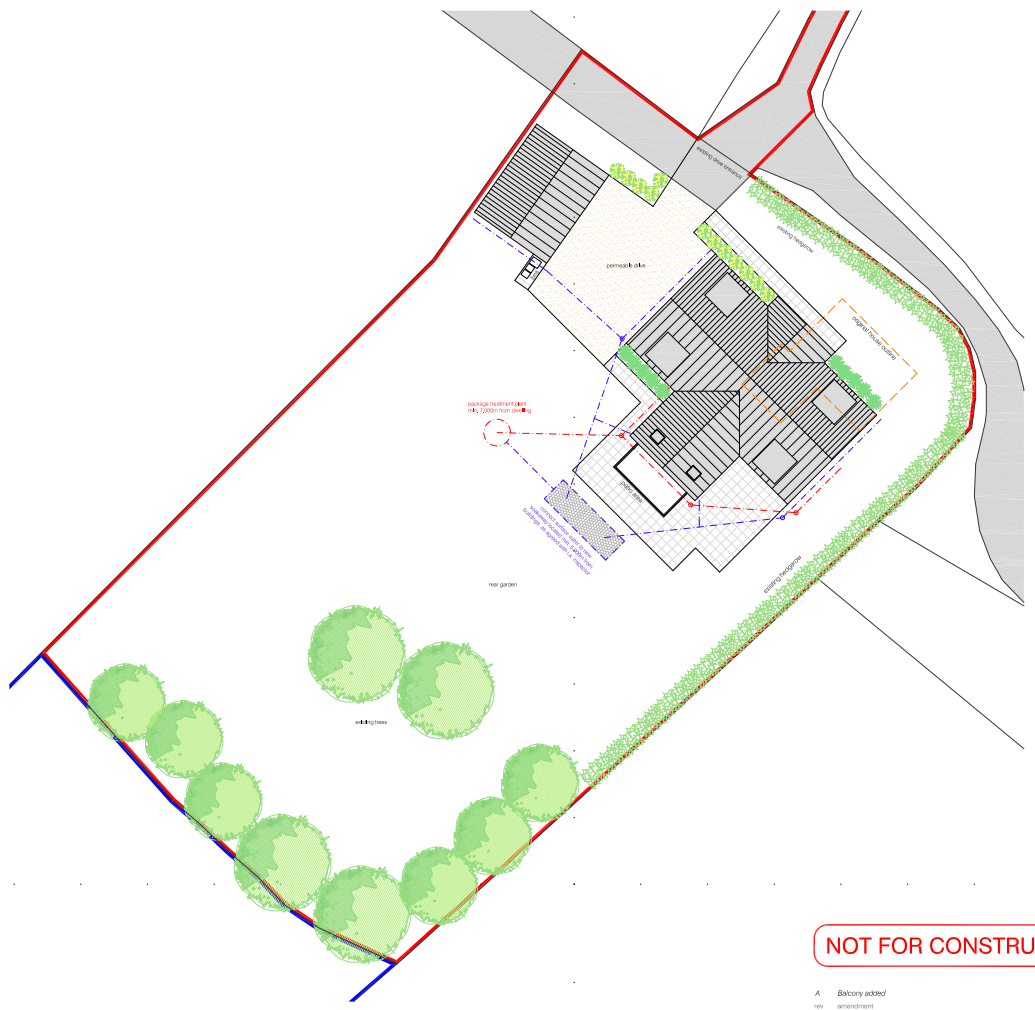
AMENDED



Existing Block Plan  
 scale 1:500



Proposed Block Plan  
 scale 1:500



Site Plan  
 scale 1:200

**NOT FOR CONSTRUCTION**

A	Balcony added	18/10/23
rev	amendment	date
18/10/23	Site Plans	18/10/23 rev A
stage	Planning	drawn
scale	as noted	drawn by JCB

Replacement Dwelling  
 at Langley Cottage  
 Mah Street  
 Howland

architecture  
 building consultants  
 energy assessors  
 project managers

ka  
 keystone architecture

© Keith Hovell, 14th Street, Southport, CH4 6EA  
 T: 01754 230 122  
 www.keystonetechnical.co.uk  
 info@keystonetechnical.co.uk

**NOTES:**

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be those drawings or associated documents are to be notified to keystonearchitecture.

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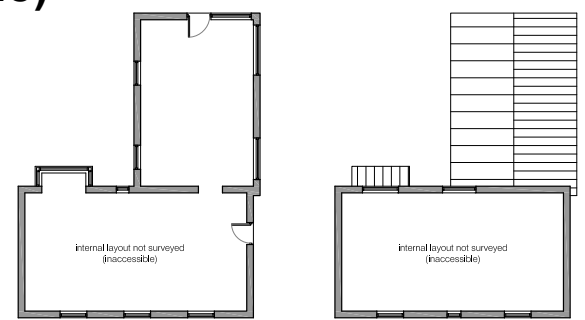
If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line drawn at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.



North East Elevation

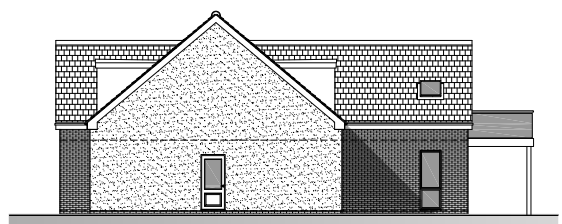


South West Elevation

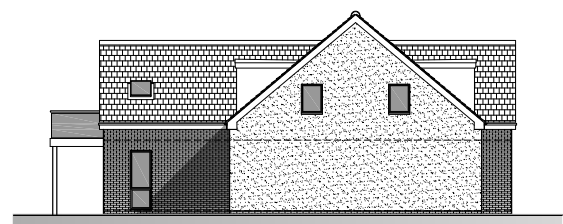


Existing Ground Floor

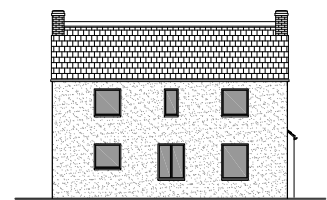
Existing First Floor



North West Elevation



South East Elevation

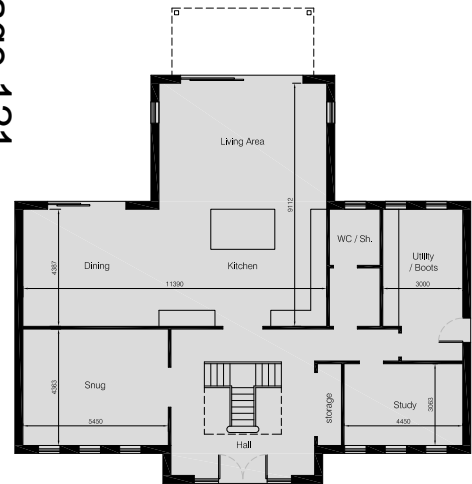


Existing North East Elevation

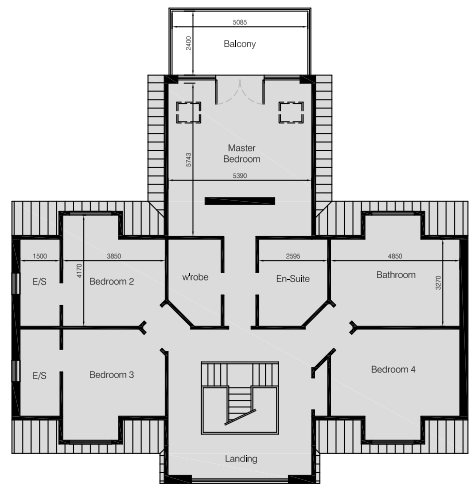


Existing North West Elevation

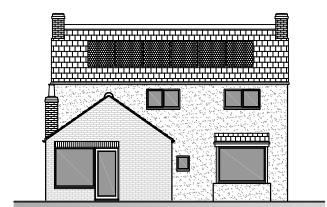
Page 121



Ground Floor Layout



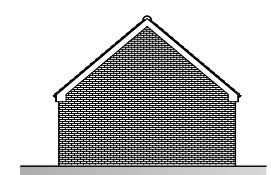
First Floor Layout



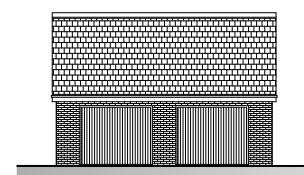
Existing South West Elevation



Existing South East Elevation



Garage North East Elevation

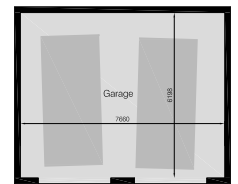


Garage South East Elevation

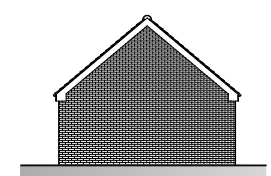
**Material Schedule:**

Brickwork: Bespoke Brick Company Cinder Coal brickwork  
 Render: Off-white smooth self-coloured render  
 Roof Tiles: Sandtoft 20/20 Interlocking concrete roof tiles in Antique Slate  
 Windows: Grey uPVC windows and composite doors  
 Rainwater Goods: Black uPVC rainwater goods on uPVC fascias and soffits  
 Dormers: Grey lead effect single ply membrane

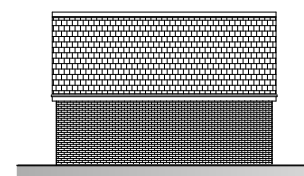
**AMENDED**



Garage



Garage South West Elevation



Garage North West Elevation

**NOT FOR CONSTRUCTION**

A	Balcony added	18/10/23
rev	amendment	date
stage	Ex. & Pl. Plans & Elevs	18/10/23 rev A
scale	1:100	drawn by JCB

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<b>APPLICATION NO</b>	<b>PA/2023/1602</b>
<b>APPLICANT</b>	Mr Adam Storey
<b>DEVELOPMENT</b>	Planning permission for two-storey extension and single-storey extension to form an orangery and erect an attached garage
<b>LOCATION</b>	Pademoor Cottage, unnamed road between Crowle and Luddington via Leam House, Eastoft, DN17 4PZ
<b>PARISH</b>	<b>EASTOFT</b>
<b>WARD</b>	Axholme North
<b>CASE OFFICER</b>	Deborah Oikeh
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Departure from the development plan

## **POLICIES**

### **National Planning Policy Framework:**

12 Achieving well designed and beautiful places

### **North Lincolnshire Local Plan:**

DS1 General requirements

DS5 Residential extensions

DS7 Contaminated land

DS14 Foul sewage and surface water drainage

DS16 Flood risk

T2 Access to development

T19 Car parking provision and standards

RD2 Development in the open countryside

RD10 Replacement, alterations and extensions to dwellings in the open countryside

### **North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS19 Flood risk

### **Housing and Employment Land Allocations Development Plan Document:**

PS1 Presumption in favour of sustainable development

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

RD1 Supporting sustainable development in the countryside

SS1 Presumption in favour of sustainable development

SS3 Development principles

SS11 Development limits

DM1 General requirements

### **CONSULTATIONS**

**Highways:** No objections subject to conditions.

**LLFA Drainage:** No objections subject to conditions.

### **PARISH COUNCIL**

No objections.

### **PUBLICITY**

A site notice has been displayed – no comments have been received.

### **ASSESSMENT**

#### **Planning history**

PA/2018/2364: Planning permission for a detached two-storey garage with store above – approved 08/02/2019

#### **Site constraints**

- The site lies outside the development boundary of Eastoft according to the HELADPD 2016.

- The site is within SFRA flood zone 2/3a tidal.

### **Proposal and site characteristics**

This proposal seeks planning permission to erect a two-storey extension and a single-storey orangery with an attached garage to the existing dwelling. The application site is at the end of a row of dwellings on an unnamed road near Luddington. The site is bordered to the south by a few detached dwellings and to the north and west by the open countryside.

The site comprises a two-storey property with a garage and outbuilding at the edge of the unnamed road. These outbuildings would be demolished, as shown on the site plan, to accommodate the proposed extensions. There are other outbuildings to the rear of the site, within the site's boundary. The site is outside of any development limits as identified by the Housing and Employment Land Allocations DPD 2016.

### **Main considerations**

- **Principle of development**
- **Impact upon amenity and the character of the area**
- **Flood risk and drainage**
- **Impact upon highway safety.**

### **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The North Lincolnshire development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land Allocations DPD. Other material considerations include the National Planning Policy Framework (NPPF), the emerging North Lincolnshire Local Plan and a suite of supplementary planning documents.

The application site is outside the development limit for Eastoft as defined in the Housing and Employment Land Allocations DPD and so constitutes development within the countryside. Core Strategy policies CS2 and CS3 and local policy RD2 partly seek to control development in the open countryside. Policy RD2 in particular states that development would be granted for applications essential to agriculture or forestry, the re-use or adaptation of existing rural buildings, or the replacement, alteration or extension of an existing dwelling, amongst others.

Policy CS5 states that new developments should be well designed and appropriate for their context, and contribute to creating a sense of place, any proposed development needing to respect the character and appearance of the local area.

Therefore, proposals for the extension or alteration of an existing dwelling in the open countryside are considered acceptable, subject to an assessment of their impact on the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials.

## **Impact upon amenity**

Policy DS1 aims to ensure that development does not unduly impact neighbouring amenity in terms of noise, smell, fumes, dust or other nuisance.

Policy DS5 also seeks to ensure that proposals do not result in adverse impacts upon neighbouring amenity by unreasonably reducing sunlight or daylight, overshadowing, overbearing impact or loss of privacy to adjacent dwellings. The proposal is expected to be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

The nearest dwellings to the application site are situated south-west. However, there exists a reasonable separation distance between the application site and these dwellings, as well as screening from existing boundary treatment. Therefore, the likelihood of the proposal having an adverse impact on neighbouring properties, in terms of overshadowing or being overbearing, is limited. Similarly, a reasonable percentage of the proposed openings to the extension and dwelling would face south-east. There is limited prospect for overlooking into neighbouring sites to the south.

It is therefore considered that the proposal would not carry unacceptable overbearing, overlooking or overshadowing impacts that would be detrimental to the residential amenity rights of adjoining neighbours and aligns with policy DS5.

## **Impact upon the character of the area**

Policy CS5 states that new developments should be well designed and appropriate for their context, and contribute to creating a sense of place, any proposed development needing to respect the character and appearance of the local area. Policy RD2 also seeks to protect the character and appearance of the countryside.

The site is entirely outside the development boundary; therefore policy RD10, which relates to development in countryside, applies. Policy RD10 (ii) in particular specifies that 'the volume of any proposed alteration or extension shall not exceed that of the original dwelling by 20%, exclusive of the normal permitted development rights and the original dwelling forms the dominant visual feature of the dwelling as extended.'

In terms of appearance, the external façade of the dwelling will be finished with red multi clay brickwork in plain sand cement mortar, natural red clay pantiles and brown Upvc windows and doors. Amendment to the scheme was sought to include more detailing to the appearance of the extensions overlooking the road (north-west elevation). The existing view of the dwelling is such that the principal elevation overlooks the countryside, while the rear elevation backs onto the road. The appearance of the dwelling after the extension will retain this arrangement whereby views of the extension from the highway is limited and the legibility of the original dwelling is still noticeable. Dwellings to the south and the existing dwellings are traditional dwellings, built in brick with pitched roofs. The proposed extension will have a pitched roof and be built using traditional materials. It is considered that the removal of the clusters of outbuildings at the edge of the road to extend the dwelling would tidy up the site.

In terms of scale, the proposal will result in the demolition of the garage and outbuilding at the entrance to the site. Therefore, a part of the proposed extension would overlap the footprint of the outbuildings to be demolished. The original volume of the dwelling is estimated to be 475.89 cubic metres, the volume of outbuildings to be demolished 123.71 cubic metres, and the volume of the proposed extension 313.09 cubic metres. Nevertheless, the volume of the extension will be in excess of the 20% allowed in policy RD2 by about 40%; however, this

is exclusive of the normal permitted development rights and the volume of outbuildings to be demolished (123.71 cubic metres). If permitted development and volume of the demolished outbuilding is accommodated, the scale of the proposed extension will not be overtly large or unacceptable.

The scale and design of the proposed extensions are therefore considered acceptable and in accordance with policies DS5, CS5, RD2 and RD10.

### **Flood risk and drainage**

Policy CS19 of the Core Strategy is concerned with flood risk, whilst DS14 and DS16 of the local plan are concerned with flood risk, drainage and foul water. Policy CS19 in particular states, 'The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere.'

The application site is set within flood zone 2/3a. The proposal is classed as a minor development, being an extension to an existing residential dwelling. Therefore, the Environment Agency's standard condition for household extensions would be followed.

The council's LLFA Drainage team has been consulted and no concerns have been raised with regard to flooding or drainage. The proposal is therefore considered to align with policies DS14, DS16 and CS19.

### **Highway safety**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety.

The existing access to the site would be retained and widened following demolition of the garage at the entrance to the site. The existing parking arrangement is considered to be sufficient for the site. The highways department has been consulted and no objections or concerns have been raised. Therefore, the proposal is not considered to conflict with the requirements of policies T2 and T19.

### **Conclusion**

The proposal seeks to carry out extensions to the existing dwelling. The site is entirely outside the settlement development boundary; however, policy RD2 supports house extensions subject to an assessment of the proposal's impact on character, residential amenity and scale, amongst other criteria. The proposal will result in the demolition of two outbuildings at the edge of the road which makes the site look cluttered and unappealing. The effect of this is an extension to form a single dwelling when viewed from the road. The volume of the proposed extension will be about 40% above the permitted volume. However, this volume is exclusive of the permitted development right, which could be up to 50% of the total land around the house. The proposed design, scale and amendment will not impact the residential amenity and character of the area adversely. The proposal is therefore recommended for approval.

**RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site location plan and block plan A0001
- Proposed floor plan A0003 rev B
- Proposed elevation plan A0004 rev B.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No materials shall at any time be sorted on the adopted highway.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

4.

No structure, including foundations, shall be constructed within the adopted highway.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

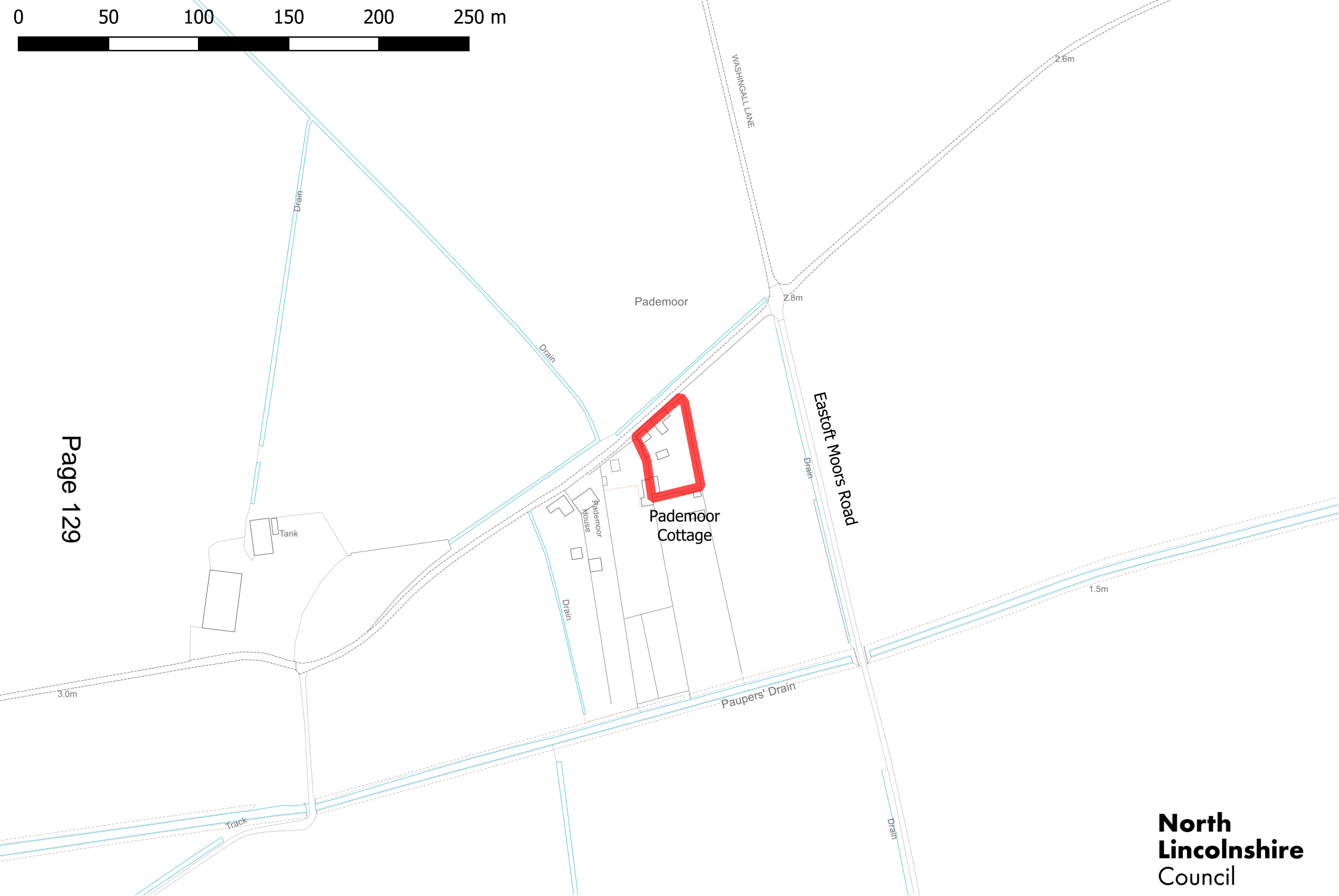
## **Informatives**

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

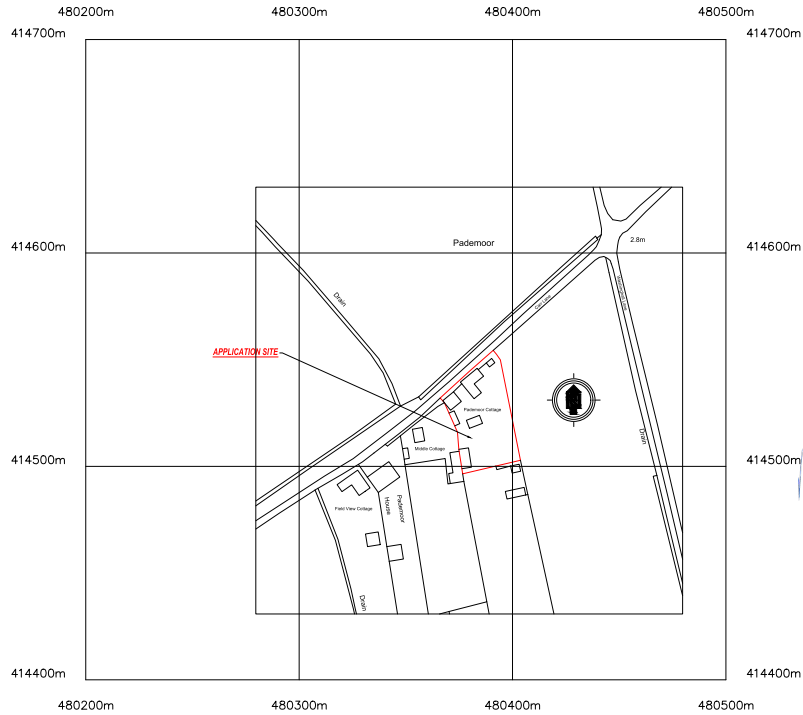
If any traffic management is required for the adjacent adopted highway and footway, before any works take place you must contact the highway authority on 01724 297000 to arrange for the relevant permissions/licences to be issued.



SPECIFICATION & CONSTRUCTION NOTES:

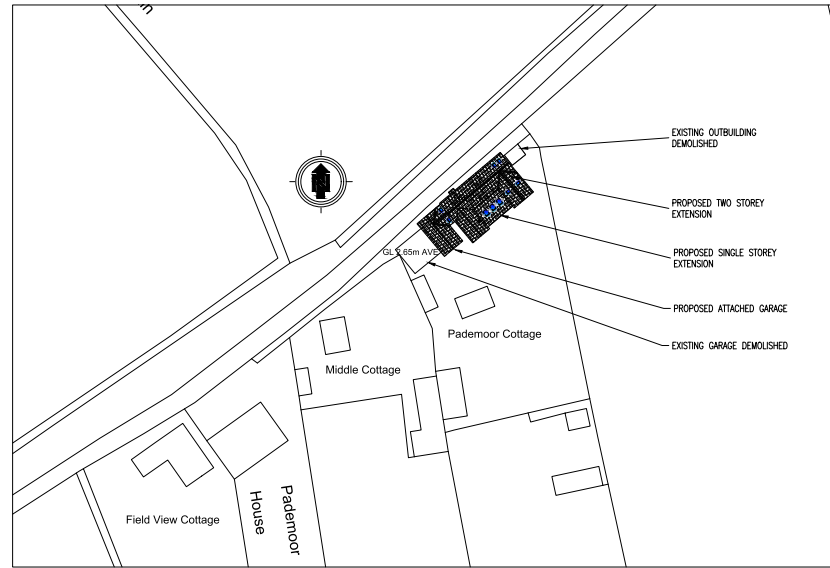
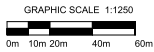
GENERAL

1. These notes are intended to augment drawings and specifications. Where conflict of requirements exists the order of precedence shall be as shown in the specifications. Otherwise the strictest provision shall govern.
2. This drawing is to be read in conjunction with all other relevant Engineering and Architectural drawings.
3. Drawings not to be scaled. All dimensions to be checked on site by the Contractor. Any discrepancies to be notified to the Building Designer and further instructions obtained before work is commenced.
4. The structure is designed to be self-supporting and stable after the building is fully complete. It is the Contractor's sole responsibility to determine the erection procedure and sequence and ensure that the building and its components are safe during erection. This includes the addition of whatever temporary bracing, gussets or tie-downs which may be necessary, such material remaining the property of the Contractor upon completion.
5. This drawing represents a detailed dimensional measurement survey of the physical dimensions of the existing property. This drawing does not and is not intended to express any opinion on the physical, superficial or structural condition of the premises depicted.
6. This drawing is to be read in conjunction with all other relevant drawings.
7. TAS Building Design is a trading name of Lincs Building Design Consultants Ltd.

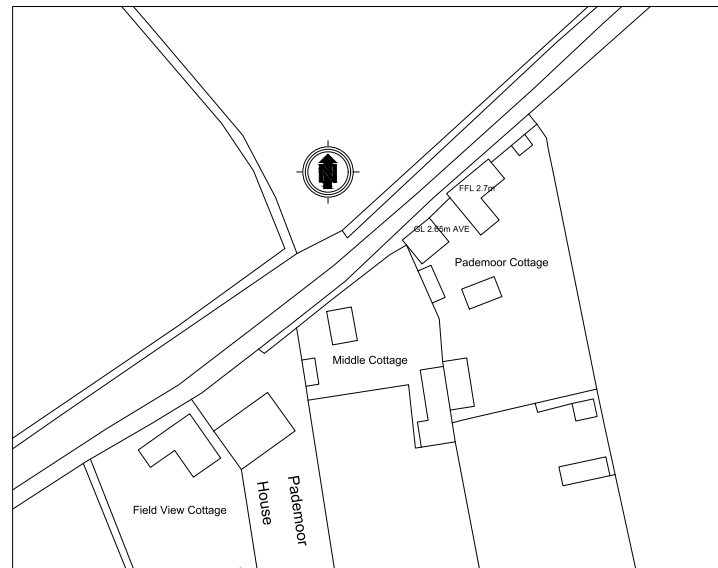
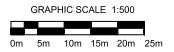


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OS Map Site Location Plan  
Scale 1:1250



Block/Site Plan - Proposed  
Scale 1:500



Block/Site Plan - Existing  
Scale 1:500

REV	DATE	BY	DESCRIPTION	CHK	APP
0	07.06.23	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

	FF2/2A School Court Wrawby Street North Lincolnshire DN20 8JW
	t: +44(0)1652 659467 f: +44(0)1652 659467 e: tasbuildingdesign@hotmail.co.uk

CLIENT: MR A STOREY & MISS R ATKINS

PROJECT: PADEMOOR COTTAGE, WASHINGHALL LANE  
EASTOFT, DN17 4PZ

TITLE: SITE LOCATION, EXISTING  
AND  
PROPOSED BLOCK PLANS

SCALE & SIZE: AS SHOWN @ A1	CHECKED: TAS	APPROVED: TAS
DWG FILE: 24509 /Dwg/Arch	DESIGN/DRAWN: TAS/jj	DATE: JUNE 2023
PROJECT No: 24509	DRAWING No: A0001	REV: -





# PA/2023/1602 Proposed elevations (not to scale)

Proposed

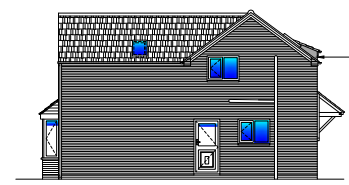
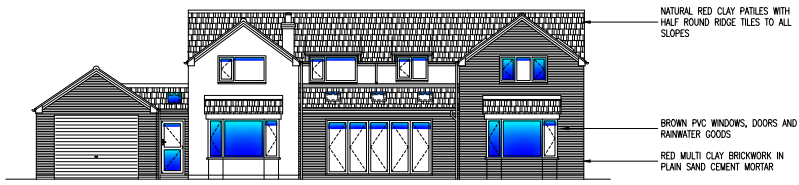
DO NOT SCALE

**SPECIFICATION & CONSTRUCTION NOTES:**

- GENERAL**
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  - Drawings not to be scaled. All dimensions to be checked on site by the Contractor. Any discrepancies to be notified to the Building Designer and further instructions obtained before work is commenced.
  - The structure is designed to be self-supporting and stable after the building is fully complete. It is the Contractor's sole responsibility to determine the erection procedure and sequence and ensure that the building and its components are safe during erection. This includes the addition of whatever temporary bracing, guys or tie-downs which may be necessary, such material remaining the property of the Contractor upon completion.
  - This drawing represents a detailed dimensional measurement survey of the physical dimensions of the existing property. This drawing does not and is not intended to express any opinion on the physical, superficial or structural condition of the premises depicted.
  - This drawing is to be read in conjunction with all other relevant drawings.
  - TAS Building Design is a trading name of Linco Building Design Consultants Ltd.

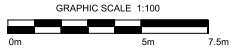
**SPECIFICATION & CONSTRUCTION NOTES:CONT'D**

- PLANNING RELATED EXTERNAL FACING MATERIALS AND ASSOCIATED NOTES:-**
- EXTERNAL WALLS**  
APPROVED RED/ORANGE MULTI CLAY BRICK TO MATCH EXISTING WITH MORTAR TO SPECIFICATION. POINTING SHALL MATCH EXISTING STYLE AND BRUSHED SMOOTH WITH A SOFT BRUSH.
- MORTAR**  
COMPRISING 1:1:6 PARTS OPC/HYDRATED LIME/SAND.
- ROOF**  
COVERED WITH APPROVED BREATHABLE FELT SUCH AS PROCTOR ROOFSHIELD AND APPROVED NATURAL RED CLAY ROOF TILES TO MATCH EXISTING ON 38x50mm TANALISED ROOFING LATTS ALL LAID IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.  
INSTALL SANTOFT MATCHING HALF ROUND RIDGE UNITS ALL TO MANUFACTURER'S INSTRUCTIONS. THE MORTAR SHALL BE SUPPLEMENTED BY APPROVED DRY RIDGE FIXINGS TO LABC APPROVAL TO BS 8612:2018 DRY FIXED RIDGE, HIP AND VERGE SYSTEMS.
- DOORS/WINDOWS**  
ALL WINDOWS AND DOORS/FRAMES TO BE MANUFACTURED FROM APPROVED HARDWOOD OR PVC PROFILES ALL TO SPEC. COLOUR SHALL MATCH EXISTING
- RAINWATER GOODS**  
INSTALL OSMA 120MM PVC HALF ROUND GUTTERS WITH MATCHING 65MM ROUND DOWN PIPES. POSITIONS OF EXISTING SOAKAWAYS SHALL BE IDENTIFIED. ALL SHALL A MINIMUM OF 5m AWAY FROM THE NEAREST BUILDING. AND CONSTRUCTED TO SPECIFICATIONS, CALCULATIONS AND MEET THE REQUIREMENTS OF BRE DIGEST 365 - SOAKAWAYS.
- MAIN DOOR**  
PROPRIETARY UP AND OVER OR ROLLER SHUTTER DOOR BY HORMANN OSA. COLOUR TO CLIENT'S PREFERENCE
- FLOOD RESISTANCE AND RESILIENT CONSTRUCTION**  
THE EXTENSIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH 'IMPROVING THE FLOOD PERFORMANCE OF NEW BUILDINGS' FLOOD RESILIENT CONSTRUCTION BY CIRIA 2007, ALL AS PER BUILDING REGULATIONS SUBMISSION.

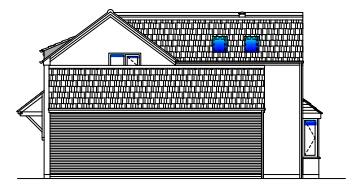
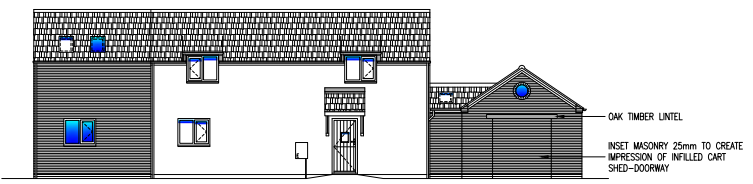


South East Elevation  
Scale 1:100

North East Elevation  
Scale 1:100



CTIONS SHOWN IN BROKEN  
LL TO SPEC



North West Elevation  
Scale 1:100

South West Elevation  
Scale 1:100

REV	DATE	BY	DESCRIPTION	CHK	APP
B	23.01.24	TAS	Garage Window added as Requested by LPA	TAS	TAS
A	11.12.23	TAS	Additional Utility Window Added	TAS	TAS
0	07.06.23	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

**TAS Building Design**

FF2/2A School Court  
Wrayby Street  
Brigg  
North Lincolnshire  
DN20 8JW

t: +44(0)1652 659467  
f: +44(0)1652 659467  
e: tasbuildingdesign@hotmail.co.uk

CLIENT: MR A STOREY & MISS R ATKINS

PROJECT: PADEMOOR COTTAGE, WASHINGHALL LANE  
EASTOFT, DN17 4PZ

TITLE: PROPOSED EXTENSIONS  
& ALTERATIONS  
ELEVATIONS

SCALE & SIZE: AS SHOWN @ A1	CHECKED: TAS	APPROVED: TAS
DAO FILE: 24509/Drg/Arch	DESIGN/DRAWN: TAS/ls	DATE: JUNE 2023

PROJECT No: 24509	DRAWING No: A0004	REV: B
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© TAS BUILDING DESIGN

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<b>APPLICATION NO</b>	<b>PA/2023/1635</b>
<b>APPLICANT</b>	Mr Lee Norris
<b>DEVELOPMENT</b>	Planning permission to construct four military aeroplane metal sculptures mounted on a lattice steel support and a dragon metal sculpture mounted on top of the flat roof of the car port
<b>LOCATION</b>	25 Woods Meadow, Hibaldstow, DN20 9ES
<b>PARISH</b>	<b>HIBALDSTOW</b>
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Matthew Gillyon
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with condition</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllrs Trevor Foster and David Garritt – significant public interest)

## **POLICIES**

### **National Planning Policy Framework:**

12 Achieving well-designed and beautiful places

### **North Lincolnshire Local Plan:**

DS1 General requirements

### **North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

### **Housing and Employment Land Allocations Development Plan:**

PS1 Presumption in favour of sustainable development

Settlement Inset Map 24 – Hibaldstow

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

HE1 Conserving and enhancing the historic environment

DM1 General requirements

## **CONSULTATIONS**

**Highways:** No comments or objections to make.

**LLFA Drainage:** No objections or comments to the proposed development.

## **PARISH COUNCIL**

Originally commented that they had no objections or comments. A later comment was received that further information had come to light from residents of properties in the vicinity. In light of those concerns, the parish council supported the residents' comments.

The application was readvertised following receipt of an amendment to the height of plane 1; however, the parish council maintains its objection, supporting the concerns raised by residents.

## **PUBLICITY**

A site notice has been displayed and seven comments have been received (one being a duplication) objecting to this application as follows:

- Wish to make a formal objection against the structures recently erected to the front of the property to join the existing array of rusting garden equipment, old mangles, bicycles, tractors and a telephone box. But the latest addition of four tall metal towers with metal aeroplanes atop is a step too far. The one of most concern is the largest, which has been very inconsiderately situated over the boundary to our property. It has an approximate 6ft wingspan and the height is extremely intrusive visually to our property. It is plainly visible over the hedge by 4–5ft and can be seen from all the windows at the front and side of the property. Comments expressed by several acquaintances state that the size of the towers and planes is inappropriate in their positions at the front of the property, which is adjacent to the public highway and a footpath, and they would also have strong objections due to the size and proximity to property boundaries if they were equally affected. Although we appreciate that people are entitled to present their own property as they see fit, within the planning rules, we feel these neighbours have gone too far without due thought and consideration to residents in neighbouring properties. We therefore ask that the planning department considers this retrospective planning application carefully and refuses it or at the very least refuses permission for the large tower and plane which intrude visually and

aesthetically on the boundary of our property. This is a quiet residential area where properties are well looked after but we can only feel that these extra 'over the top' structures are doing little to enhance the surroundings and are giving a poor visual 'overkill' look to the area.

- I object to the planning permission (retrospective) at 25 Woods Meadow for the four aircraft and the large dragon on the garage roof as it is just not in keeping with the character of the rest of the street and area. It is all we can see out of our kitchen window and they are an eyesore.
- Wish to complain about the large objects which are in the front garden of 25 Woods Meadow. They are not in keeping with this residential area. It looks like a theme park!
- I wish to object in the strongest possible terms to the large metal structures erected in the front garden of 25 Woods Meadow, Hibaldstow (structures erected without planning permission). These 3 metre high heavy metal structures are totally unsuitable to be positioned in the front garden of a property adjacent to a public footpath and highway and are out of keeping with this residential area. In the North Lincolnshire Council planning application form under the heading 'Trees & Hedges', is the question: 'Are there any trees or hedges on the property or on the adjoining properties which are in falling distance of the proposed development?'. The applicant has answered 'NO'. Depending on how you read the question, is it the trees that could fall or is it the proposed development that could fall? If the applicant has answered correctly, and it is the development that is to be protected, then surely North Lincolnshire Council has a duty of care to protect the safety of persons and neighbouring property against damage to the proposed development and any consequences which could arise from such damage. It is of great concern that if Plane No 4 on the plan were to fall or be knocked into by one of the numerous large lorries, vans and trucks which frequently attend No 25, then there is a high probability that the structure would fall onto the driveway of the adjoining property 27 Woods Meadow. Any person on the drive could be seriously injured, or worse, and vehicles severely damaged should this happen. This plane overhangs the boundary hedge between the two properties and is a potential danger to life and property. I would ask North Lincolnshire Council planning department to reject in its entirety the retrospective planning application and enforce the complete removal of this inappropriate development.
- Council, please object to the retrospective planning permission and perhaps look at the aircraft structure at the rear also as this seems close to number 27.
- I strongly object to the structures residing at 25 Woods Meadow. They are not in keeping with any other property on the street. I am very disappointed in the fact after submitting retrospective planning permission the structures were then raised.

## **ASSESSMENT**

### **Planning history**

PA/2004/0933: Planning permission to erect single-storey extension with room in roof – approved with conditions 29/06/2004

PA/2009/1218: Planning permission to erect first-floor side, two-storey side extension and install a veranda to the rear – approved with conditions 15/12/2009

- PA/2010/0223: Planning permission to erect first-floor front and two-storey side extension (amendment to previously approved application PA/2009/1218) – approved with conditions 13/04/2010
- PA/2011/0619: Planning permission to erect a detached domestic garage – approved with conditions 30/06/2011
- PA/2011/1147: Planning permission to retain two rainwater harvesting tanks – approved 08/11/2011
- PA/2022/1816: Planning permission to create a connecting space between house and existing garage with glass roof, and erect a car port – approved with conditions 20/12/2022

### **Site constraints**

The site is within the development boundary of Hibaldstow, within the conservation area and SFRA flood zone 1.

### **The site and proposal**

The site is 25 Woods Meadow, a property at the top of Woods Meadow, set back in the corner, with a large front curtilage and the boundary defined by a brick wall and metal railings. The front elevation of the property is in a north-eastern direction. The proposal is for retrospective planning permission to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture on top of the flat roof of the car port.

The four plane structures are positioned across the front curtilage of the property around the horseshoe driveway, the measurements being as follows:

Plane 1: Lancaster Bomber, which has a maximum height of 3,200mm and the lattice support 2,750mm. The plane is 2,400mm in width and 1,500mm in length.

Plane 2: Meteor, which has a maximum height of 2,650mm and the lattice support 2,185mm. The plane is 1,200mm in width and 1,400mm in length.

Plane 3: Halifax Bomber, which has a maximum height of 2,920mm and lattice support of 2,850mm. The plane is 2,400mm in width and 1,500mm in length.

Plane 4: Spitfire, which has a maximum height of 3,100mm and lattice support of 2,800mm. The plane is 2,000mm in width and 1,900mm in length.

The car port is 2,500mm high, with the dragon 1,400mm in height, giving a total height of 3,900mm. The dragon is 400mm in width and 1,000mm in length.

An amended plan has been received which increases the height of Plane 1 from 2,950mm to 3,200mm, an increase of 250mm, to make access into the property easier.

**The main issues in the determination of this application are impact on the character and appearance of the area and residential amenity.**

## **Impact on the character of the area**

Policy CS5 of the Core Strategy states that new development should be well designed and appropriate for their context and contribute to creating a sense of place, with any proposed development needing to respect the character and appearance of the local area, and consider the relationship between any buildings and the spaces around them.

Section 55 of the Town and Country Planning Act 1990 should be considered with the definition of development meaning the carrying out of building in, on, over or under land, or the making of any material change in the use of any buildings or other land. The proposal is also for development on the principal elevation of the dwelling.

This proposed retrospective application is to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port. In considering the proposal upon the impact of the character of the area, the layout of the dwelling needs to be considered, the house being on a large corner plot that dominates the street scene, with a built boundary in the form of a wall with metal railings.

The planes have been positioned around the horseshoe driveway, varying in height. Plane 1's wing tip is nearest to the eastern boundary, just over 2.5m away, and plane 4's wing tip is nearest to the north-west boundary, about 400mm away. The maximum width of the front curtilage is over 28m, the maximum width of the planes combined being around 8m, which accounts for approximately 29% of the total space available across this boundary. The nearest planes to the front boundary are Planes 2 and 3, which are approximately 5m away from the front boundary treatment.

The comments regarding the application relate to this development not being in keeping with the character of the area, describing it as a 'theme park' and 'Duxford Imperial War Museum Gift Shop', and whilst it can be considered a different development, the dwelling itself is the dominant form on Woods Meadow, the planes only being noticeable when you approach the property behind the already defined front boundary wall. In relation to plane 1, the height of the plane was similar in size to the caravan in the front curtilage of the neighbouring property.

The dragon is on top of the car port, with other built form already against this eastern boundary of the site and the pitched roof of the garage taller than the installed dragon.

It is considered that the development, in the form of the planes and dragon, does not impact the character of the area and is considered to be in accordance with policy CS5 of the Core Strategy.

## **Impact upon residential amenity**

Policy DS1 of the NLLP states that any new development should be well designed and appropriate for their context, with no unacceptable loss of amenity to neighbouring properties.

This proposed retrospective application is to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port. With regard to impact upon residential amenity, comments have been made that these developments are unsuitable, positioned in the front garden adjacent to a public footpath and highway, and is all that can be seen out of the window above the 4–5ft hedge.

The planes have been located around the horseshoe driveway, the closest one to a boundary being plane 4, which is approximately 400mm away from the hedge that defines the north-

west boundary; due to the design of the driveway, this is the point it is widest to access the garage at this side of the site. The total area of the front garden is approximately 69.393sqm, the total area of the planes, taking account of the maximum length and width, totalling approximately 14.300sqm, which is roughly 21% of the total area of the front garden.

With regard to the comments regarding the positioning of the planes in relation to the adopted highway, the nearest plane is over 5m away from the front boundary, the height not exceeding this distance, and can be considered to be a sufficient distance inside the front curtilage with no objections or comments raised by the highways officer.

Whilst plane 4 is the nearest to a neighbouring dwelling, the height of the structure does go above the hedge line, with a maximum height of 3,100mm; this property does have windows in the front and side elevations, the development being approximately 7m away from this side window.

In respect of the comment regarding trees and hedges, this relates to trees and hedges, with this development not considered in this category, so the applicant was correct in selecting 'No'.

It is considered that the plane structures and dragon do not create an adverse overbearing or overshadowing impact on residential amenity, the development only being small in relation to the site. The proposal is therefore in accordance with policy DS1 of the local plan.

## **Conclusion**

This application to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port is not considered to have any adverse impact on the character, setting or residential amenity. The proposal is therefore considered to comply with policies CS5 of the adopted Core Strategy and DS1 of the North Lincolnshire Local Plan and is recommended for approval.

## **RECOMMENDATION: Grant permission subject to the following condition:**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan Drawing No. 274-001 Revision 01
- Site Plan Drawing No. 274-001 Revision 02.

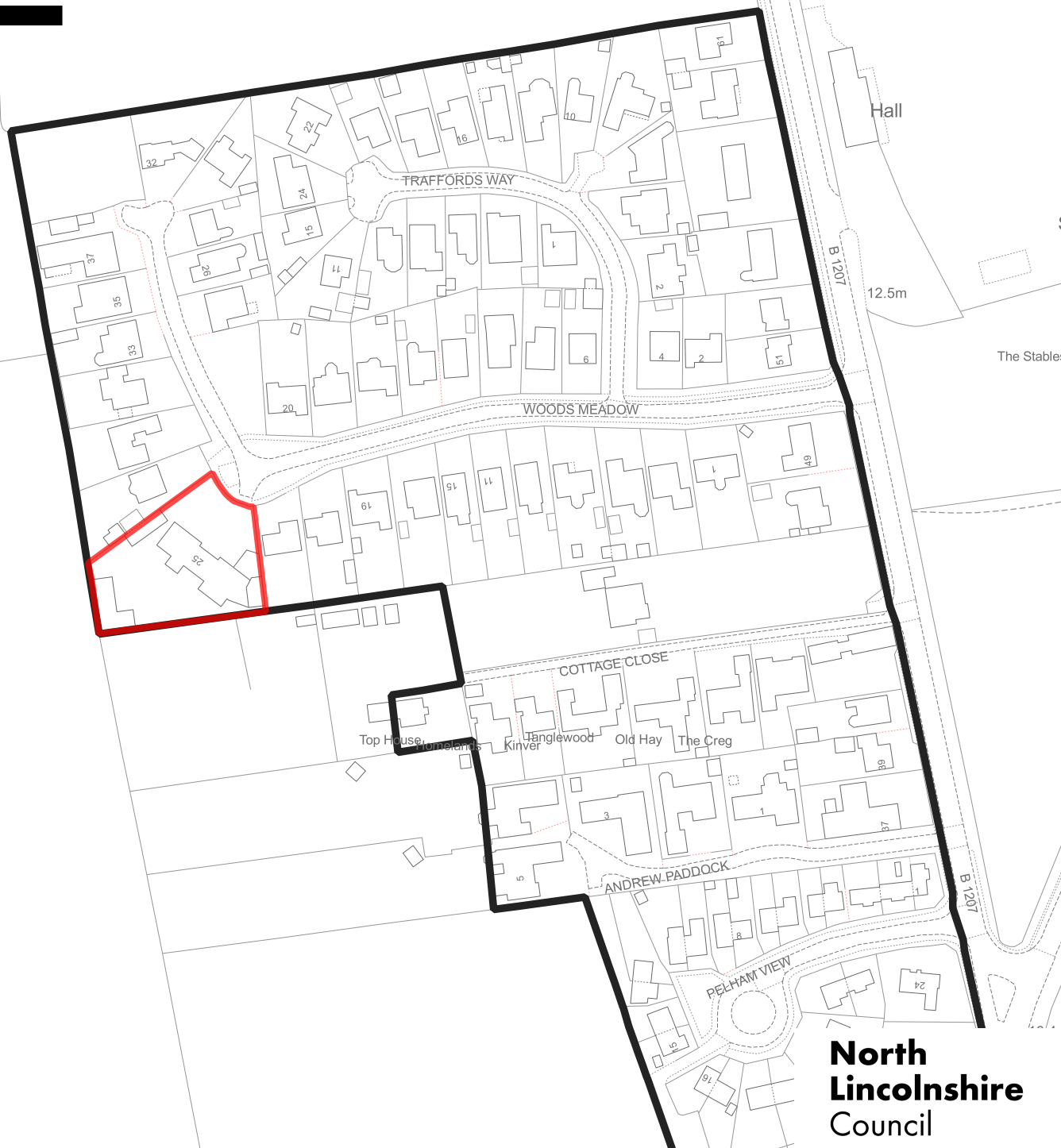
## **Reason**

For the avoidance of doubt and in the interests of proper planning.

## **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

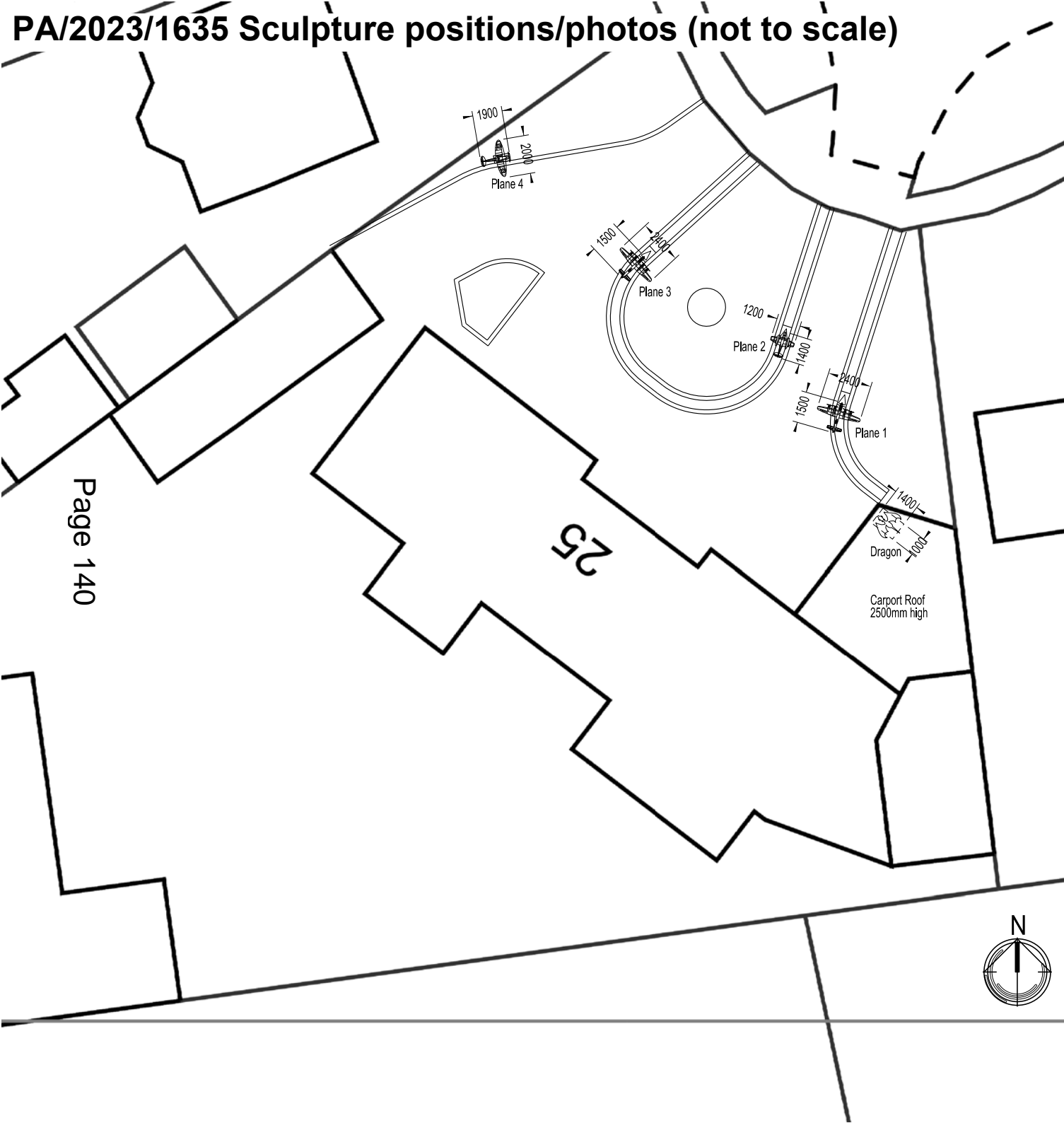




**North  
Lincolnshire  
Council**

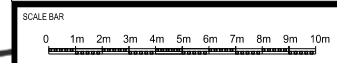
 Development Boundary

# PA/2023/1635 Sculpture positions/photos (not to scale)



Page 140

25



REVISIONS

1 - First Issue
2 - Plane 1, height amended

CLIENT: L. Norris

LOCATION: 25 Woods Meadow  
Hibaldstow  
BRIGG  
DN20 9ES



PROJECT: Front Garden Sculptures

DRAWING TITLE: Site Plan

DATE:	DRAWING No:	SCALE:
OCT '23	274 / 002 / 02	1:200 @ A3

<b>APPLICATION NO</b>	<b>PA/2023/1636</b>
<b>APPLICANT</b>	Mr S Jackson
<b>DEVELOPMENT</b>	Outline planning permission to erect a new dwelling with all matters reserved for subsequent consideration
<b>LOCATION</b>	Land at 1 The Avenue, Burton upon Stather, DN15 9EX
<b>PARISH</b>	<b>BURTON UPON STATHER</b>
<b>WARD</b>	Burton upon Stather and Winterton
<b>CASE OFFICER</b>	Paul Skelton
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Burton upon Stather Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 12 Achieving well-designed and beautiful places
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

- H5 New housing development
- H8 Housing design and housing mix
- HE5 Development affecting listed buildings
- T1 Location of development
- T2 Access to development

T19 Car parking provision and standards

DS1 General requirements

DS14 Foul sewage and surface water drainage

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Overall housing provision

CS25 Promoting sustainable transport

**Housing and Employment Land Allocations Development Plan Document:**

Policy PS1 Presumption in favour of sustainable development

Inset 12 Burton upon Stather

**North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS6 Spatial distribution of housing sites

SS11 Development limits

H2 Housing mix and density

DQE1 Protection of landscape, townscape and views

HE1 Conserving and enhancing the historic environment

T1 Promoting sustainable transport

DM1 General requirements

## **CONSULTATIONS**

**Highways:** No objection in principle subject to conditions to secure an appropriate access.

**LLFA Drainage:** No objections subject to conditions relating to surface water drainage and an informative note.

**Environmental Protection:** No objection subject to a precautionary contaminated land condition.

**Conservation:** No objection subject to the proposal being single-storey and sited towards the eastern side of the plot, and design details which can be secured at reserved matters stage.

## **PARISH COUNCIL**

Objects. It is concerned that the proposed exit from this property would be directly opposite a junction. At the top of this junction is the entrance/exit to the primary school and Normanby Road/The Avenue get congested at school dropping off/picking up times. This could decrease the safety at this junction. Prior to considering this application, a site visit should be arranged when parents are dropping off/collecting their children from the school.

## **PUBLICITY**

The application has been advertised by site and press notice. One response has been received which is summarised below:

- The site is adjacent to a 'Y' junction where three roads meet, and access to the school drive is off this junction.
- At school drop-off and leaving times, parking along The Avenue creates congestion and inhibits the free flow of two-way traffic as well as posing a risk to child safety. An additional entrance so close to the junction would exacerbate this.

## **The site and its location**

The application site comprises part of the side garden of 1 The Avenue, within the settlement limits of Burton upon Stather. There are existing dwellings either side. The site is at the point where the B1430 changes from Normanby Road to The Avenue, with the T-junction with Flixborough Road directly opposite.

On the opposite side of the road, to the west of the site, lies the grade II listed building, Avenue Cottage.

To the southwest, behind the row of houses fronting The Avenue/Flixborough Road, is Burton upon Stather Primary School, which is accessed via a driveway between two dwellings, close to the T-junction.

The site is in flood zone 1.

## **ASSESSMENT**

### **Planning history**

There is no relevant planning history for the site.

### **The development**

The application is made in outline with all matters reserved for future consideration and proposes the erection of a single dwelling. An illustrative plan has been submitted with the application which shows the access towards the western corner of the site.

The application makes it clear that the proposal is for a single-storey dwelling. The illustrative site layout shows the proposed dwelling set back into the plot to ensure greater distance to the boundaries, and to allow vehicle access and turning within the site.

### **Material considerations**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission the local planning authority shall have regard the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Other material planning policy considerations include the National Planning Policy Framework (the NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

**The main issues for consideration are the principle of development, heritage issues, character and appearance, highway safety and impact on neighbouring property.**

### **The principle of development**

The Government released an updated NPPF in December 2023. Paragraph 226 makes clear that for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing against the housing requirement (rather than five years). This includes authorities like North Lincolnshire, which have an emerging local plan that has been submitted for examination. These arrangements apply for a period of two years from the publication date of the revised NPPF. Therefore, full weight can be attributed to the local plan and local development framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

Notwithstanding this, the site is within the settlement boundary of Burton upon Stather, as defined by the Housing and Employment Land Allocations DPD, in an area where new housing is supported by the local plan and Core Strategy. The principle of development is therefore acceptable.

In addition to policy compliance, some minor benefits would arise from the proposal. The dwelling would contribute, in a very small way, to the council's housing land supply. Limited economic benefits would arise from the construction phase (given the scale of development proposed it is likely local tradespeople would be used), and from the economic activity of future residents, who would be likely to support local businesses and facilities. Economic benefits would also arise from taxation.

### **Heritage matters**

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Local plan policies HE5 and HE7 and Core Strategy policy C6 reflect this duty.

Paragraph 199 of the NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 200 continues by stating that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting), should require clear and convincing justification. Paragraph 202 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

As set out above, a listed building, Avenue Cottage, lies to the west of the application site, on the opposite side of the B1430. Avenue Cottage is itself a residential property and its setting is very much dominated by other residential properties.

The Conservation Officer has been consulted and notes that the proposal is for a single-storey dwelling. On that basis, and subject to the detailed design and materials being secured at reserved matters stage, the Conservation Officer does not object to the proposal.

In light of the above, it is considered that the proposal meets the statutory duty set out at section 66 of the Listed Buildings Act and the relevant local and national policies and guidance that seek to protect the setting of heritage assets.

### **Character and appearance**

Saved policy DS1 of the local plan, Core Strategy policy CS5 and section 12 of the NPPF all seek high quality design. Policy DS1(i) sets out that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area. This is reflected in policy CS5 and the NPPF.

Whilst the application is made in outline with all matters reserved for future consideration, an assessment falls to be made as to whether there are any reasons why the site could accommodate a dwelling without unacceptably affecting the character and appearance of the area. An illustrative layout plan has been submitted with the application to demonstrate how a dwelling could be accommodated on the site, and indicating where the access could be located.

The site is within a row of houses, and on the inside of a soft curve in the road as it transitions from The Avenue to Normanby Road. The layout shown on the illustrative plan indicates that the dwelling would be sympathetic to the building lines to the east and north, although given the curve in the road the siting would perhaps appear to project in front of the building line

from certain views. However, given the single-storey nature of the proposal and the nature of the plot with a mature hedgerow to the front, it is not considered that this would be harmful to the streetscene.

One significant, mature tree would be lost as a result of the proposal. This tree does play a part in the streetscene of The Avenue, in an area characterised by mature trees. Nevertheless, the tree is not the subject of a tree preservation order. The illustrative layout and Design and Access Statement indicate that the tree would be replaced with additional trees, and this could be secured at reserved matters stage.

Overall, it is therefore considered that the site is capable of accommodating an additional dwelling without undue harm to the character and appearance of the area. Detailed design matters including layout, scale, appearance and landscaping can be addressed at reserved matters stage.

### **Highway safety**

Local plan policy T2 requires all development to be provided with a satisfactory access. The NPPF, at paragraph 114(b), requires safe and suitable access to the site to be achieved for all users. Paragraph 115 advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

Concerns have been raised by the parish council and a local resident in respect of the access, and in particular the proximity of the site to the nearby primary school, which is accessed from Flixborough Road, close to the application site.

The Highways Officer has been consulted and advises that the location of the proposed new access as indicated on the illustrative layout plan would appear to be acceptable subject to trimming of adjacent vegetation to improve visibility. The illustrative layout includes visibility splays which indicate that the necessary visibility can be achieved in both directions. It is noted that this access would be no worse than the existing access serving the neighbouring property to the north, 31 Normanby Road.

The Highways Officer notes that the indicative location of the proposed access is close to the Flixborough Road junction, however advises that the additional traffic arising from the proposed single-storey dwelling would be minimal. In this context it is unlikely that the development would give rise to any material highway safety issues over and above the current situation. It is also understood that traffic is managed by a school crossing service ('lollipop person') at the beginning and end of the school day.

In light of the above, it is not considered that the proposal would result in unacceptable impacts on highway safety and there would be no severe impacts on the local highway network.

### **Impact on neighbouring property**

Local plan policies all seek to protect the living conditions of occupiers of nearby residential property. Local plan policy DS1 states, 'No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.' The NPPF (paragraph 130(f)) requires decisions to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.



The only two properties that could realistically be affected by the proposal are the host property, 1 The Avenue to the east, and 31 Normanby Road to the north. Given the single-storey nature of the proposal and its relationship with 1 The Avenue, there would be no undue harm to occupiers of the existing dwelling as a result of a single-storey dwelling being built on the site.

Whilst the dwelling shown on the illustrative plan would be close to the boundary with 31 Normanby Road, again, given its single-storey nature, it would not unduly affect the living conditions of residents of that property. In any event, the precise details and impacts can be assessed at reserved matters stage.

The plot is of a size that could easily accommodate a dwelling whilst providing sufficient amenity space and outlook for its occupiers. There is just one seemingly high-level window on the first floor of 31 Normanby Road, which otherwise has a blank elevation at first-floor level, so no overlooking would arise. There are dormer windows on the garage and side elevation of the house at 31 facing the application site, which will require careful consideration as to the final siting and design of the proposed dwelling; however, this can be addressed at reserved matters stage.

Overall, therefore, a single-storey dwelling could be satisfactorily accommodated on the plot and, subject to the final design and siting, the proposal would not give rise to any unacceptable impact on neighbouring dwellings.

### **Other matters**

The Environmental Protection Officer has been consulted and, further to a contaminated land screening assessment submitted by the applicants, raises no objection subject to a precautionary condition which requires remediation in the event that unexpected contamination is found during development.

The site is located in flood zone 1, the area at least risk of flooding, and there is no evidence of any flood risk issues affecting the site. The LLFA has been consulted and raises no objection.

### **Conclusions and planning balance**

The principle of residential development in this location is considered acceptable in light of prevailing development plan policies. The application proposes a net increase of one dwelling in a sustainable location which meets the broad strategy for delivery of housing in the district. This weighs in favour of the application, as do the very limited economic benefits arising from the proposal.

Subject to reserved matters approval, there would be no harm to the setting of the nearby listed building, nor the character and appearance of the area. Similarly, subject to detailed design, there would be no unacceptable impacts on highway safety or the satisfactory operation of the local highway network, nor on the living conditions of existing or future residents. There are no objections in respect of other technical matters.

Overall, the proposal is considered to represent sustainable development in accordance with the development plan, and it is recommended that outline planning permission is granted subject to the conditions set out below.

**RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The development hereby permitted shall be carried out in accordance with the 1:1250 scale Location Plan only as shown on Drawing Number 1770.01 Rev B.

Reason

For the avoidance of doubt and in the interests of proper planning.

6.

The dwelling hereby permitted shall be a single-storey bungalow.

Reason

To protect the character and appearance of the area and the living conditions of residents of neighbouring dwellings.

7.

All reserved matters applications for 'layout' made pursuant to condition 1 above shall include details of existing and proposed ground and floor levels in relation to a fixed, off-site, datum point.

Reason

To protect the character and appearance of the area and the amenity of occupiers of existing neighbouring residential properties.

8.

All reserved matters applications for 'appearance' pursuant to condition 1 above shall include precise details and/or samples of the external walling, roofing and hard surfacing materials proposed to be used. Development shall be carried out in accordance with the approved details.

Reason

In the interest of good design.

9.

All reserved matters applications for 'layout and appearance' pursuant to condition 1 above shall include details of the positions, design, materials and type of boundary treatments to be erected. The boundary treatments shall be completed in accordance with the approved details before the dwelling hereby permitted is first occupied.

Reason

In the interests of the amenities of the occupiers of neighbouring properties and to protect the visual amenity of the area.

10.

All reserved matters applications for 'layout' made pursuant to condition 1 above shall include details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway and an effective method of preventing surface water run-off from the highway onto the developed site. The approved details shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained for the lifetime of the development.

Reason

In the interests of highway safety and to prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policies T19 and DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

11.

All applications for reserved matters related to 'layout' and 'access' submitted pursuant to condition 1 above shall include details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

12.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

13.

All reserved matters for 'access' submitted pursuant to condition 1 above shall include full details of the proposed access and required visibility splays based on a measured survey of the site and the relevant parts of the adopted highway.

Reason

In the interests of highway safety in accordance with policies T2 and T19 of the North Lincolnshire Local Plan.

14.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to any further development commencing on the site.

Reason

To ensure the site is safe for future users and construction workers.

**Informatives**

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

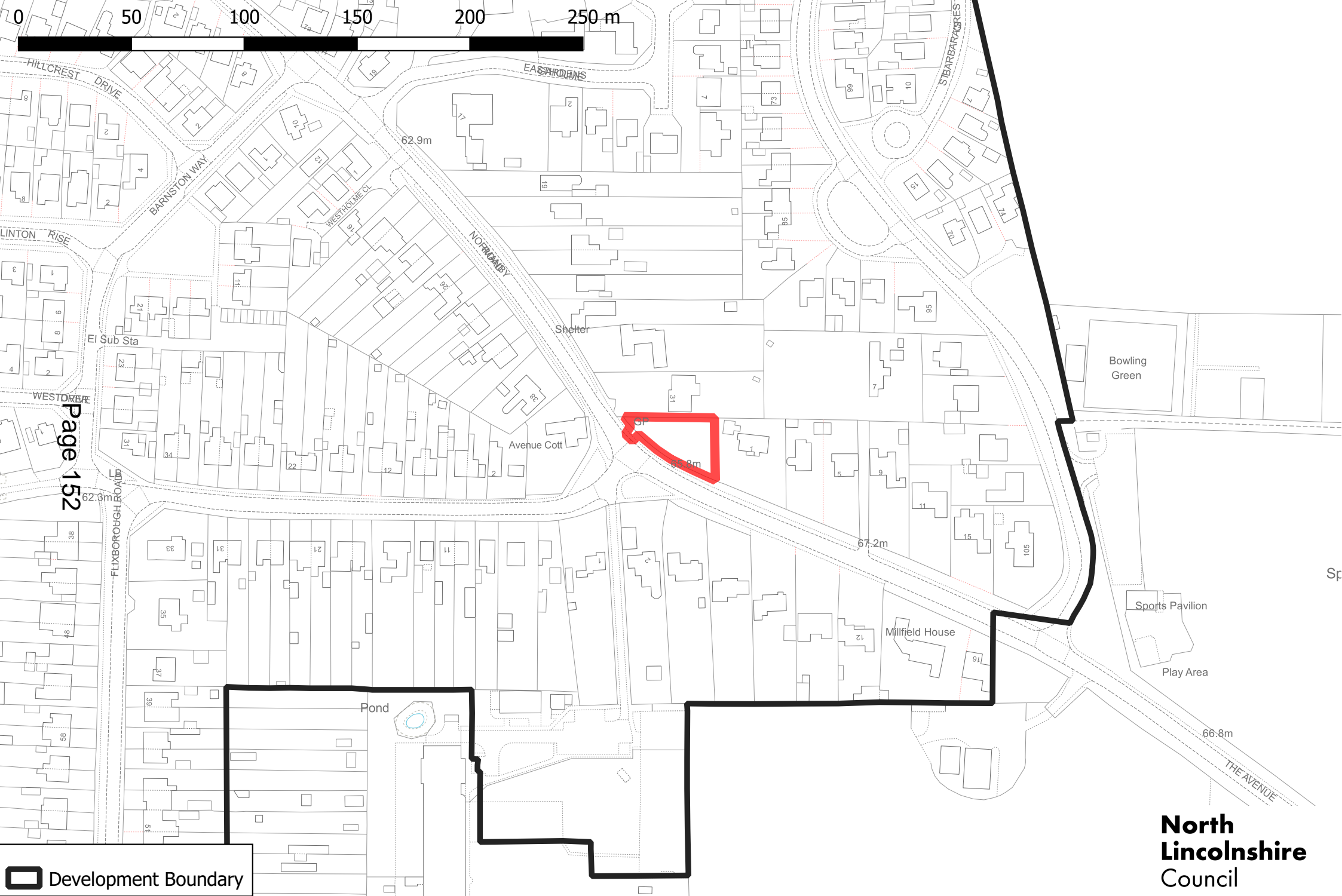
2.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

3.

It is suggested that the developer considers upsizing the pipe network increasing storage around the development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance, it would be good practice to ensure an increased level of resilience for the development and its future occupiers. It is also suggested that the developer fully explores all source control SuDS techniques that can store and allow water reuse.



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 Development Boundary

**North  
Lincolnshire  
Council**

**PA/2023/1636**

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# PA/2023/1636 Illustrative layout (not to scale)

**NOTES:**

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be the responsibility of the client. Variations to specified materials shall be agreed in writing with keystone architecture.

Do not scale from these drawings - if in doubt - ask.

All materials shall be fixed, applied or installed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystone architecture.

The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specification.

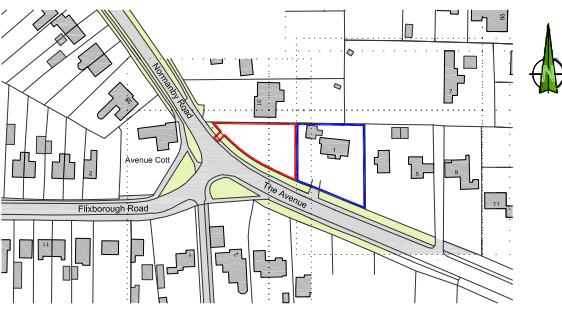
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**PARTY WALL NOTICES:**

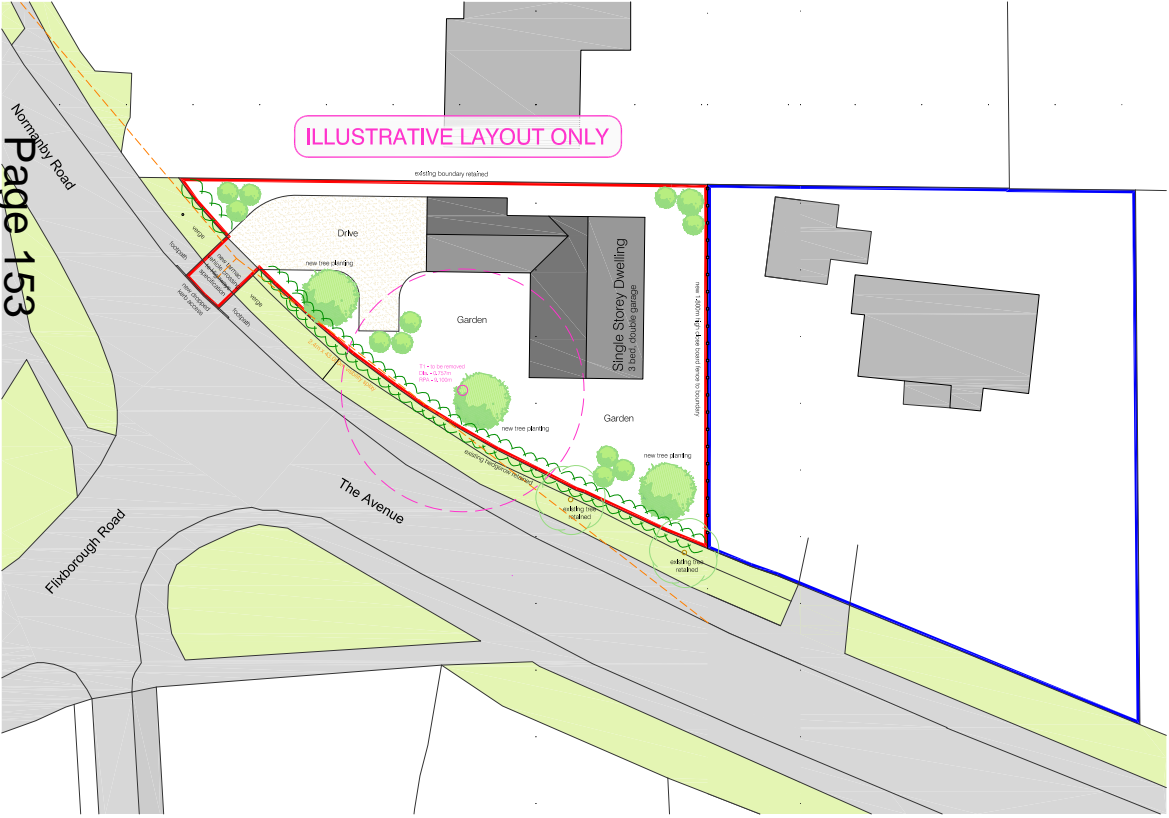
Building beside (A) or against (B) the boundary line:  
If you plan to build a party wall beside or against the boundary line, you must inform the Adjoining Owner by serving a Notice.

Excavating near neighbouring buildings:  
If you plan to excavate foundations within 3 metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

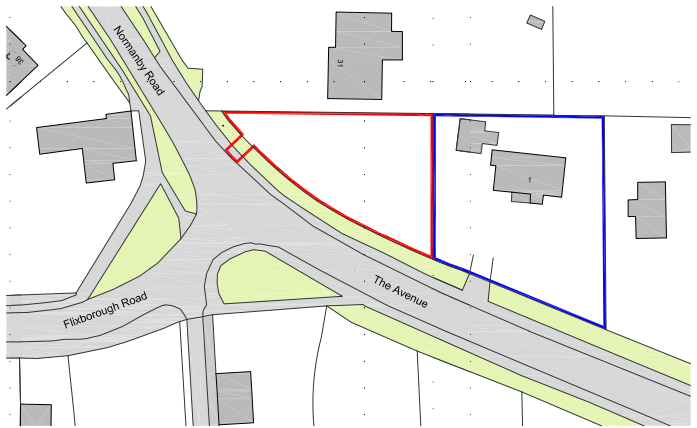
If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line drawn at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.



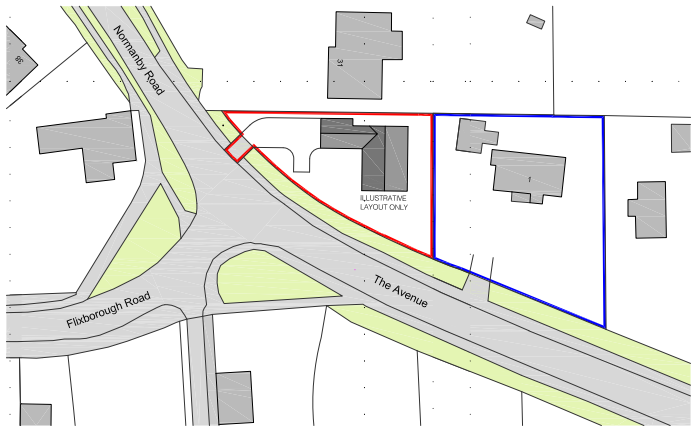
Location Plan  
scale 1:1250



Proposed Site Plan  
scale 1:200



Existing Block Plan  
scale 1:500



Proposed Block Plan  
scale 1:500

**NOT FOR CONSTRUCTION**

B	Proposed Layouts Confirmed as Illustrative Only	12/22/24
A	Red Line Boundary Amended	13/10/23
rev	agreement	date

Proposed New Dwelling at 1 The Avenue, Burton upon Stather, North Lincolnshire	stage	Planning	drawn	Sept 23
	scale	as noted	drawn by	JCB

**ka**  
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<b>APPLICATION NO</b>	<b>PA/2023/1785</b>
<b>APPLICANT</b>	John Egbury, JME Care Ltd
<b>DEVELOPMENT</b>	Planning permission to erect a single-storey side extension
<b>LOCATION</b>	Beechcroft, 1 Colleywell Close, Westwoodside, DN9 2RD
<b>PARISH</b>	<b>HAXEY</b>
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Daniel Puttick
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Haxey Parish Council

**National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 8 Promoting healthy and safe communities
- 12 Achieving well-designed and beautiful places

**North Lincolnshire Local Plan:**

- DS1 General requirements
- DS5 Residential extensions
- T2 Access to development
- T19 Car parking provision and standards
- H16 Nursing and rest homes

**North Lincolnshire Core Strategy:**

- CS1 Spatial strategy for North Lincolnshire
- CS2 Delivering more sustainable development
- CS3 Development limits
- CS5 Delivering quality design in North Lincolnshire
- CS25 Promoting sustainable transport

## **Housing and Employment Land Allocations DPD:**

Settlement boundary for Westwoodside

### **Supplementary Planning Guidance SPG1**

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 Spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

T1 Promoting sustainable transport

T3 New development and transport

DM1 General requirements

### **CONSULTATIONS**

**Highways:** No objections or comments.

**LLFA Drainage:** No objections or comments.

**Environmental Protection:** Recommend a condition to deal with any contamination discovered during development of the site.

### **PARISH COUNCIL**

Objects to the application, making the following comments:

This site has limited amenity space, and this proposal will further reduce it. NLC house to land ratio for a rural village is 30-35 DPH (policy CS7) and the parish council believes, given the size of the dwelling, the amount of parking space and the proposal, it would not meet this target. Given the nature of the business, amenity space should be an important part of the residents' needs and should be considered over development of the site.

### **PUBLICITY**

A site notice has been displayed. One letter of objection has been received, raising concerns about the use of the premises as a care home and the impact the loss of part of the existing garden area would have for residents. Concerns are also raised about the increase in parking demand at the property, highlighting previous parking issues in the street which have been

recently resolved following tarmacking of the front garden and the provision of a dropped kerb.

## **ASSESSMENT**

### **Planning history**

PA/2011/0748: Planning permission for change of use to residential home and office – refused 19/10/2011 (committee overturn – allowed on appeal 03/05/2012)

### **Site characteristics**

The site comprises an existing bungalow close to the entrance into Colleywell Close in Westwoodside. The bungalow has been operating as a residential care home for over 12 years following the grant of planning permission on appeal under application PA/2011/0748. The supporting documents indicate that the care home provides specialist care for people with learning difficulties and behavioural problems, and currently comprises three bedrooms with associated dining, lounge and kitchen facilities.

The property is within a residential area within the settlement boundary for Westwoodside. The site is within flood zone 1, an area at low risk of flooding. There is no conservation area in Westwoodside and there are no heritage assets near to the site which would be affected by the proposals.

### **Proposal**

Planning permission is sought for the construction of a single-storey side extension projecting approximately 4 metres beyond the side elevation of the existing property. The extension would be set back from the principal elevation of the building, retaining the existing chimney feature on the north-west corner of the property. The extension would have eaves levels to match the existing building, with its ridge level set slightly below that of the main home. External facing materials would match the existing building, with a window proposed to the front elevation and French doors opening onto the rear garden area.

### **Material considerations**

Planning permission was granted on appeal in 2012 for the material change of use of the former residential dwelling for use as a commercial care home. As part of the decision, a condition was imposed restricting the use of the premises as a care home and for no other purposes (including any other purpose within Class C2 of the Use Classes Order). The lawful use of the premises is as a commercial care home falling within Use Class C2 and the property therefore does not benefit from any permitted development rights. Planning permission is therefore required for the extension of the property.

Permission is sought to construct a side extension to an existing residential care home at Colleywell Close in Westwoodside. The principle of converting the building has already been established and its continued use as a residential care home is therefore considered acceptable. The principle of extending the building is acceptable in accordance with policy H16 of the local plan, subject to consideration of the main issues set out below.

### **The main issues in determining this application are:**

- **design and impact on the character and appearance of the area**

- **impacts on residential amenity**
- **highway safety.**

### **Design and impact on the character and appearance of the area**

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place, the policy stating that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

Policy DS1 of the local plan seeks to ensure that proposals are sympathetic in design, scale and materials to the existing dwelling and its neighbours, and seeks that materials and finishes do not contrast markedly with those of the original building or neighbouring properties.

Policy DS5 of the local plan provides design criteria for new residential extensions, and generally seeks to ensure proposals are in keeping with their surroundings. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. It also states that the proposals should be sympathetic in design, scale and materials to the existing dwelling, and should not use materials or finishes which contrast markedly with those of the original building or neighbouring properties.

Policy H16 of the local plan states that the development of both new and converted properties for residential, nursing and rest homes and similar establishments will be permitted provided that, amongst other criteria, the development has no adverse effects upon the amenities of neighbours and the character of the surrounding area.

The proposed extension would be small in scale and situated to the side elevation of the property, which occupies a corner plot and has been enclosed by fences approximately 1.8 metres in height. It would be constructed of materials to match the existing building, and as a result would not be considered to appear at odds with the character of the former residential bungalow. Owing to the small scale of the extension, with the ridge of the roof stepped down and front elevation stepped back, the extension would appear subordinate to the host building.

For these reasons, the design of the proposed extension is considered appropriate to the nature and layout of the site, and would not adversely impact the character and appearance of the property or wider street scene. The proposals would not be considered to result in an overdevelopment of the site, and are therefore considered to be acceptable in accordance with policies DS1, DS5 and H16 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy and the aims of the NPPF in this respect.

### **Impacts on residential amenity**

Policy DS1 of the local plan states, in relation to amenity, that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Policy DS5 of the local plan, whilst not wholly relevant, provides design criteria for new residential extensions, and generally seeks to ensure proposals are in keeping with their surroundings. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. It also states that development should not cause overshadowing as a result of the height and depth of the extension blocking daylight and sunlight, particularly in the case of two-storey extensions on or close to the boundary.

The extension is small in scale and, by virtue of its size and location in relation to neighbouring dwellings, there would be no adverse impacts upon the amenity of occupants of adjacent properties.

The local planning authority has not been made aware of any complaints relating to the use of the premises in terms of noise or disturbance, and comments objecting to the proposal make no reference to these types of impacts. Given the small-scale nature of the proposal, it is not considered that the development would give rise to any significant adverse impacts upon neighbouring residents in terms of noise or disturbance over and above the existing operations taking place at the site.

The proposed development is therefore considered to be acceptable and members are advised that existing standards of amenity for occupants of properties elsewhere within Colleywell Close and Weir Road would be preserved.

Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that, amongst other requirements, developments create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy H16 of the local plan seeks to ensure that developments provide adequate private amenity space to cater for residents and staff, and ensure that adequate refuse facilities are provided within the curtilage of the development and situated such that they do not detract from residential amenity by reason of smell and visual appearance.

The objection received raises concerns in relation to the loss of garden area associated with the property and the impacts this would have for future occupiers. These concerns are also raised by the parish council in their response, who indicate that the extension would in their view lead to an overdevelopment of the site.

It is acknowledged that the proposed development would occupy part of an area of land which currently provides outdoor amenity space in association with the property. However, an area of private outdoor space would be retained to the rear of the property, with the area to the site retained in its reduced extent. Whilst the development would result in the loss of some of the outdoor space associated with the property, officers are satisfied that sufficient space would be retained for occupants of the care home, whose primary aim is concerned with the provision of care for specialist needs, including learning difficulties and behavioural problems, within a residential setting.

The loss of garden area would be small. Against this, there are benefits in providing additional care accommodation at the site for people with complex educational and behavioural needs, and the additional bedroom would provide a facility for those more capable of their own independence, which the existing property currently lacks. Whilst the development would

result in the loss of a small area of outdoor amenity space, the benefits of providing additional accommodation at the site of a type which the existing property does not currently offer are factors which would outweigh any potential harm arising from the proposed development. In addition to this, the site is within a sustainable settlement where there are adequate services and facilities to meet the day-to-day needs of residents, whose care regime is likely to be more structured. Consequently, there is likely to be less reliance upon the area of outdoor amenity space lost to the development.

On balance, the proposals are considered to be acceptable. Whilst the development would result in the loss of outdoor amenity space associated with the property, this loss would not result in harm to the amenity of occupants of the care home. In addition, there are benefits associated with the provision of additional accommodation at the site, particularly accommodation which is currently not available at the property for those who are able to live more independently within the setting.

Having regard to the above, the proposals are considered to be acceptable in accordance with the aims of policies DS1 and H16 of the North Lincolnshire Local Plan, and the aims of the NPPF.

### **Highway safety**

Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policies T2 and T19 of the local plan seek to ensure that developments are served by adequate access and suitable levels of parking provision. Policy H16 of the local plan specifically seeks to ensure that development is served by adequate parking within the curtilage of the property to ensure that no on-street parking occurs which would be to the detriment of the free and safe flow of vehicles using the public highway.

As the objection received indicates, parking at the property has recently been upgraded and proposed plans indicate a total of six parking spaces available at the property. This would provide sufficient parking space within the curtilage of the property to accommodate the increased level of accommodation at the site, and resultant increase in the number of staff associated with the property.

The supporting information indicates the number of staff would increase from 11 to 14 people. The level of increase is limited, and staff are understood to operate in shift patterns, meaning not all staff will be present on the site at any one time.

The highway authority has assessed the application and raises no objections to the proposed development. In light of this, the proposals would not be considered to give rise to unacceptable impacts on road safety and are seen as being acceptable in accordance with policies H16, T2 and T19 of the North Lincolnshire Local Plan.

### **Other issues**

The parish council refers to policy CS7 of the North Lincolnshire Core Strategy. This policy concerns overall housing provision to ensure the housing requirement for 12,063 new dwellings across the plan period up to 2026 is delivered. Reference is made to expected housing densities sought by the policy within rural settlements, which is 30 to 35 dwellings per hectare.

As this policy relates specifically to the provision of new housing to meet identified housing need across North Lincolnshire, it is not relevant to a proposal concerning the extension of an existing residential care home. The concerns raised by the parish council relate primarily to perceived overdevelopment of the site, an issue which has been considered in more detail in preceding sections of this report. Members are therefore advised that the application of policy CS7 of the Core Strategy is not relevant in determining this application.

## **Conclusion**

Having regard to the above, it is considered that the proposed development would not result in unacceptable adverse impacts upon living conditions for occupants of nearby residential properties or on occupants of the care home. The development would be considered to be served by suitable levels of parking, and would therefore not result in adverse impacts upon road safety.

It is therefore recommended that planning permission be granted subject to standard conditions outlined below.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
The development must be begun before the expiration of three years from the date of this permission.

### **Reason**

To comply with section 91 of the Town and Country Planning Act 1990.

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans:

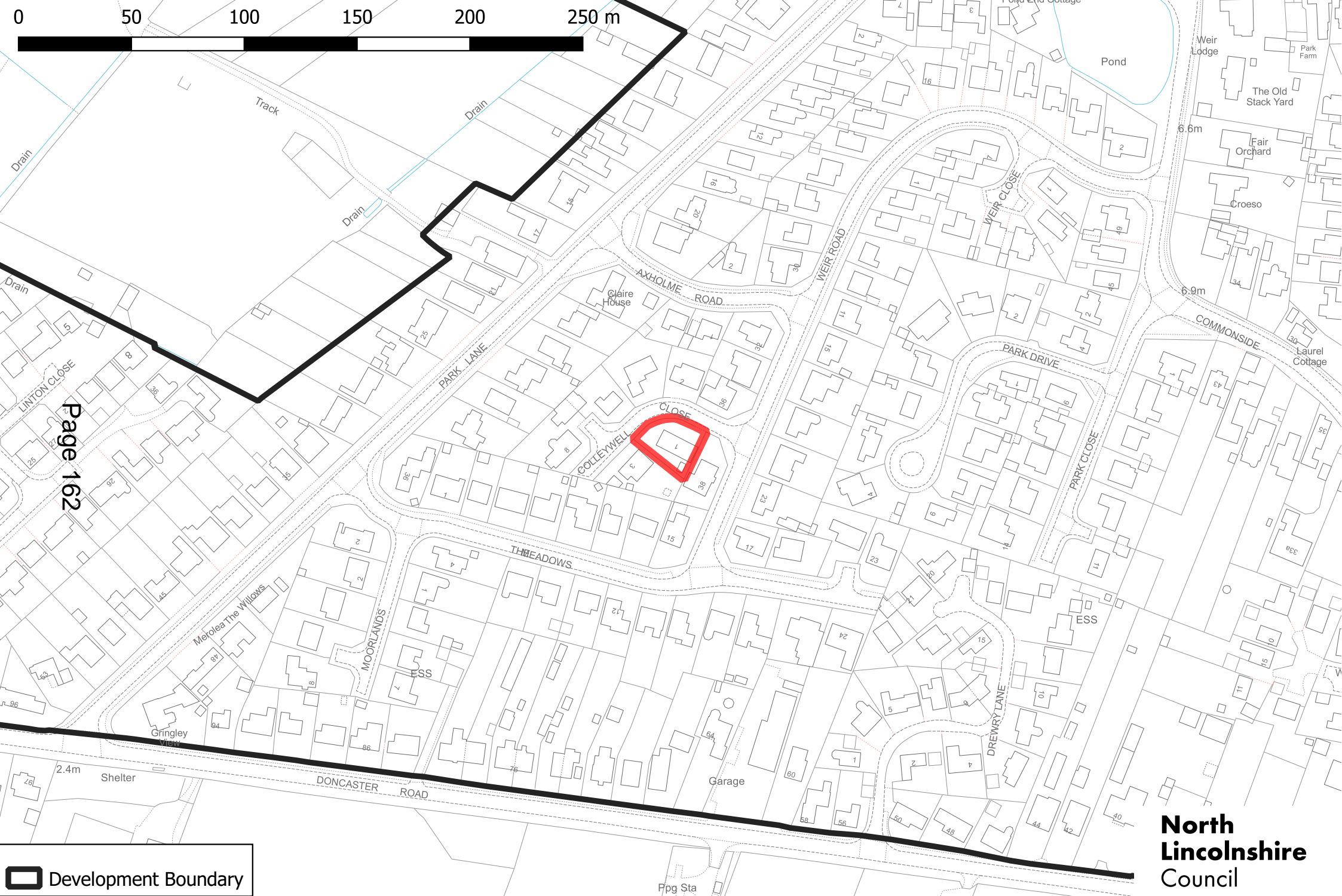
- Dwg No JME/23/01 Site Location Plan
- Dwg No JME/23/02A Proposed Block Plan
- Dwg No JME/23/05 Proposed Single Storey Extension
- Dwg No JME/23/06 Proposed Single Storey Extension.

### **Reason**

For the avoidance of doubt and in the interests of proper planning.

## **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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 Development Boundary

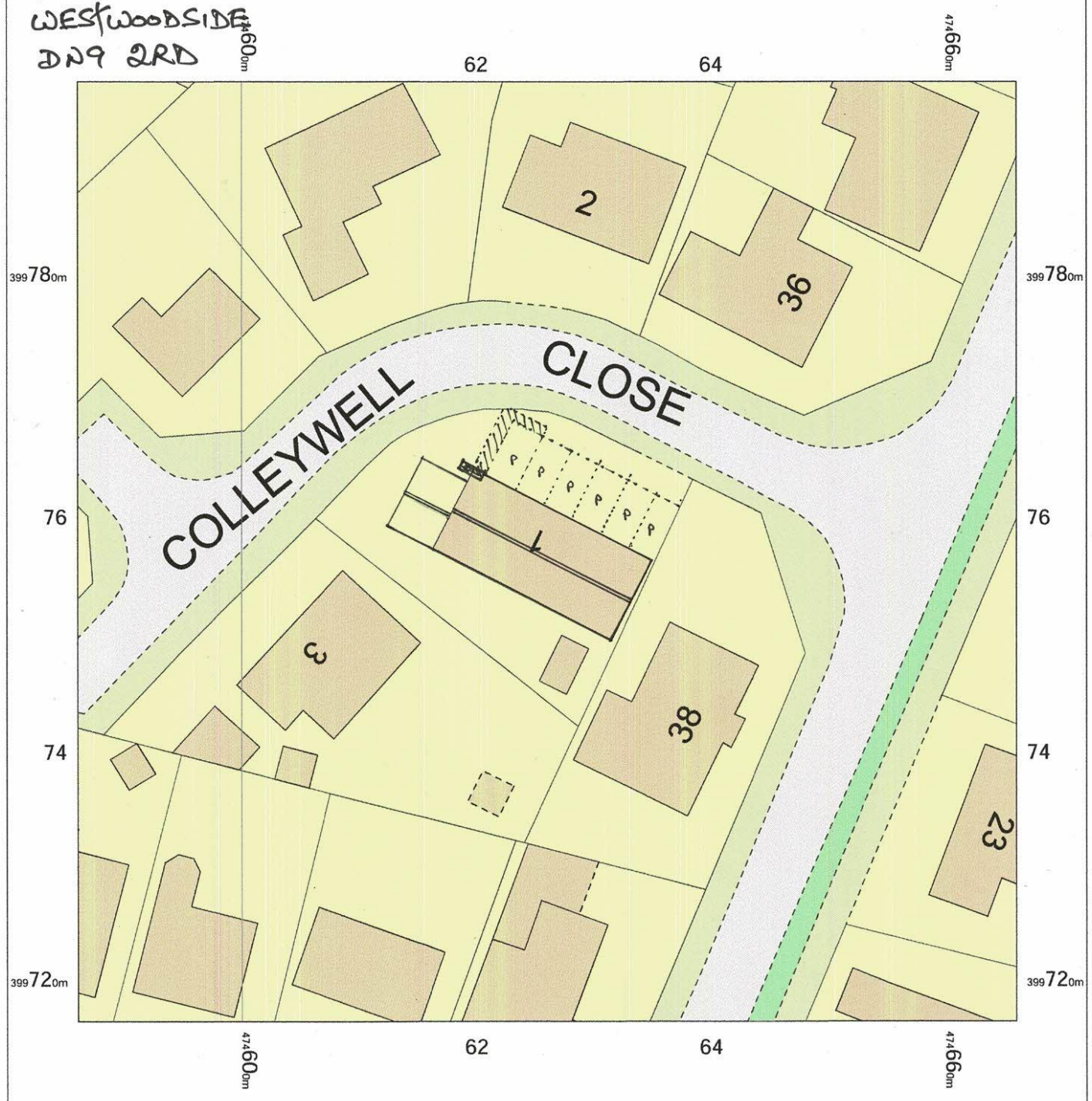
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**PA/2023/1785**

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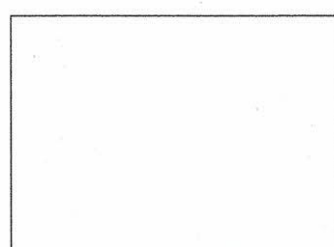
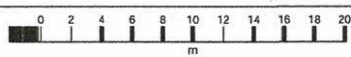


JME CARE LTD  
BEEHCROFT  
1 COLLEYWELL CLOSE  
WESTWOODSIDE  
DN9 2RD



"PROPOSED BLOCK PLAN"

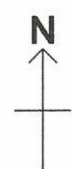
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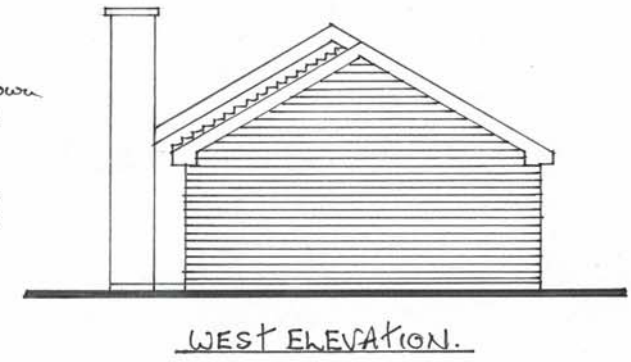


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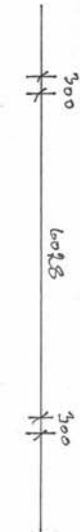
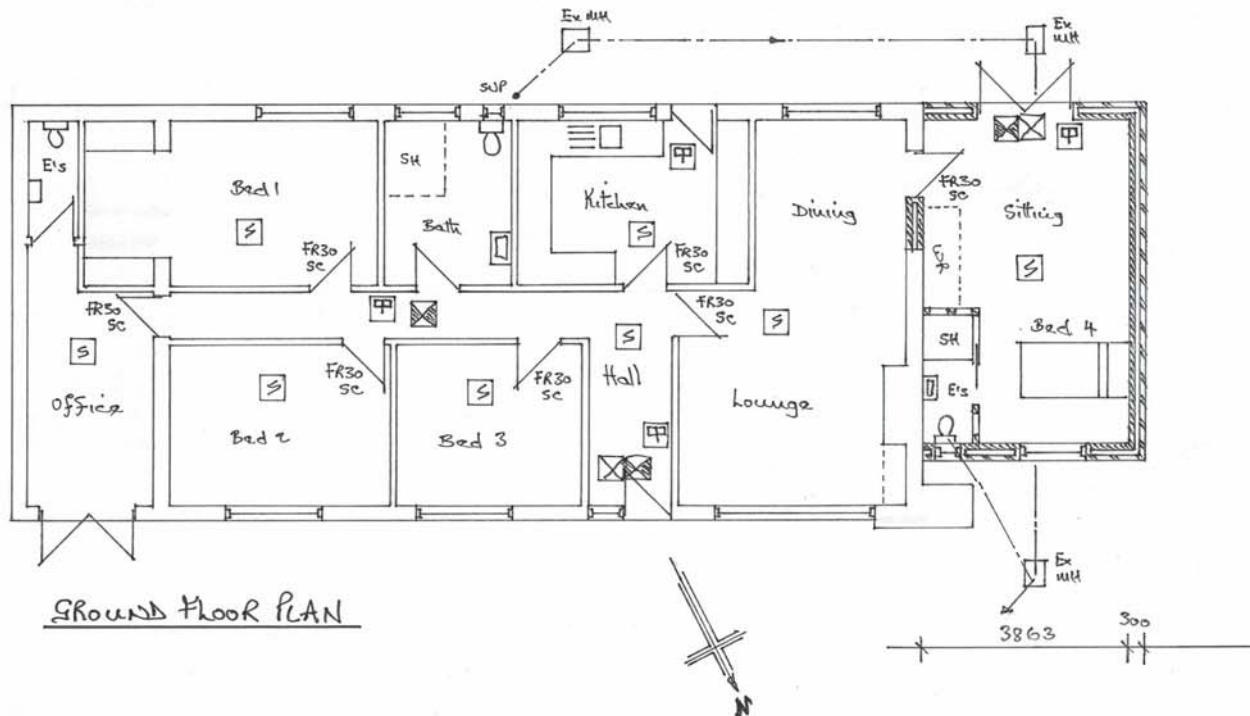
TEL: 0800 151 2612  
maps@blackwell.co.uk



# PA/2023/1785 Proposed floor plan and elevations (not to scale)



Page 164



- FIRE KEY.**
- Fire Exit Sign
  - Internally illuminated
  - Emergency light
  - Smoke detector & sounder
  - Break glass call point
  - FR30 1/2 hr fire door
  - sc Self closing device

JME CARE LTD  
BEECHCROFT  
1 COLLEYWELL CLOSE  
WESTWOODSIDE DN9 2RD

PROPOSED SINGLE  
STOREY EXTENSION

DRAWN BY:  
JEM MANAGEMENT SERVICES  
45 OSWALD ROAD  
SCUNTHORPE 07764 922416

DATE: NOVEMBER 2023  
SCALE: 1/100 @ A3

DRG.Nº: JME/23/05  
REV.

<b>APPLICATION NO</b>	<b>PA/2023/1862</b>
<b>APPLICANT</b>	Mr & Mrs Foster
<b>DEVELOPMENT</b>	Planning permission for (retention of) barn conversion
<b>LOCATION</b>	The Burrow, Bonnyhale Road, Ealand, Scunthorpe, DN17 4DF
<b>PARISH</b>	<b>CROWLE</b>
<b>WARD</b>	Axholme North
<b>CASE OFFICER</b>	Daniel Puttick
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Departure from the development plan

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change

### **North Lincolnshire Local Plan:**

- RD2 Development in the open countryside
- RD9 Re-use and/or adaptation of rural buildings for residential use in the open countryside
- T2 Access to development
- T19 Car parking provision and standards
- DS1 General requirements
- DS7 Contaminated land
- DS14 Foul sewage and surface water drainage

DS16 Flood risk

H5 New housing development

H8 Housing design and housing mix

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Overall housing provision

CS8 Spatial distribution of housing sites

CS19 Flood risk

CS25 Promoting sustainable transport

**Housing and Employment Land Allocations DPD:**

Settlement boundary for Ealand

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 Spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS6 Spatial distribution of housing sites

SS11 Development limits

DQE1 Protection of landscape, townscape and views

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport

T3 New development and transport

DM1 General requirements

## **CONSULTATIONS**

**Highways:** No comments or objections.

**LLFA Drainage:** No comments or objections.

**Environment Agency:** A condition is recommended to ensure compliance with flood risk mitigation measures outlined in the submitted flood risk assessment.

**Environmental Protection:** The department is satisfied that the contaminated land issues raised in relation to PA/2019/422 have been addressed and wish to make no further comment.

## **PARISH COUNCIL**

Ensuring the implementation of adequate sewage and drainage infrastructure, no observations.

## **PUBLICITY**

Advertised by site and press notice. No responses have been received.

## **PLANNING HISTORY**

2/1979/0737: Erection of a new mushroom growth house – approved 08/11/1979

PA/2018/2417: Application for determination of the requirement for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) – refused 31/01/2019

PA/2019/422: Application for determination of the requirement for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) – approved 11/04/2019

PA/2022/1908: Application to discharge conditions attached to prior approval PA/2019/422 (condition 2) – pending

An enforcement notice (ENF236) has been issued in relation to land within the applicant's ownership, concerning alleged unauthorised development comprising a material change of use from agriculture to storage and distribution of goods, and operational development which facilitates the material change of use comprising the erection of an extension to a building and the siting of two storage containers. This notice was issued on 8 February 2024.



## **ASSESSMENT**

### **Site characteristics**

The application site is within the open countryside to the east of Ealand. It is outside of any conservation area and there are no heritage assets nearby that would be affected by the proposal.

The site comprises a former agricultural barn which sits adjacent to an existing farmhouse and converted range of barns. The site has previously been used for agriculture primarily associated with the cultivation of mushrooms, which has since ceased operation.

The site is adjacent to an existing waterway and falls within flood zone 2/3a. A railway line providing passenger services between Doncaster and Scunthorpe lies to the south of Bonnyhale Road and the waterway.

### **Proposal**

Planning permission is sought to retain a barn conversion on Bonnyhale Road to the east of Ealand. Application PA/2019/422 submitted pursuant to Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ('the GPDO') sought a determination as to whether the prior approval of the local authority was required in respect of a proposed change of use of a barn at the site to a dwellinghouse. That application was approved subject to conditions on 15 April 2019.

Works to facilitate the conversion of the barn have commenced on site. Class Q.2(3) of Part 3 of Schedule 2 of the GPDO states that development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of three years starting with the prior approval date. The prior approval date for the purpose of this part of the legislation was 15 April 2019, with development required to be completed by 15 April 2022.

The application form indicates that works commenced on site in November 2022. This follows the submission of an application seeking to discharge condition 2 of PA/2019/422, concerning land contamination. The conversion of the former barn at the site has not been completed, and works were requested to be ceased on site. At the time of the officer's site visit, the external shell of the building was largely complete; however, extensive areas of glazing on the north- and east-facing elevations had not been installed and the building was therefore not weathertight. At the time of the visit, works for the fit out of the interior of the building had not commenced. Works progressed on site also differ to those approved as part of application PA/2019/422.

The application proposes to retain the barn conversion in its current form to provide a single dwelling comprising four bedrooms at first-floor level, with open plan kitchen/living/dining area, study, bathroom, annex living accommodation and externally accessible storage at ground-floor level.

The works undertaken on site are unauthorised. This application seeks to regularise the unauthorised development comprising the conversion of the barn, which has not been undertaken in accordance with the details approved as part of application PA/2019/422. It is of note that the work was neither commenced nor completed within three years of the prior approval date of 15 April 2022.

## **Material considerations**

Planning permission is sought for the conversion of the barn to a dwelling with associated access from Bonnyhale Road and garden area to the north.

### **The main issues in determining this application are:**

- **principle of development**
- **design and impact upon the character and appearance of the area**
- **impact on residential amenity**
- **highway safety**
- **flood risk and drainage.**

### **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising Planning Practice Guidance (PPG).

The site lies beyond the settlement boundary for Ealand, a settlement where residential development would generally be acceptable in principle. For planning purposes, the site therefore falls within open countryside where policy RD2 of the North Lincolnshire Local Plan seeks to restrict new development. The policy identifies a limited number types of development for which planning permission will be only be granted, none of which include the provision of market housing.

Policy CS1 of the Core Strategy sets out a spatial strategy for North Lincolnshire and focuses on delivering an urban renaissance in Scunthorpe. The policy seeks to focus the majority of housing within Scunthorpe and sustainable settlements. In the countryside, the policy states that support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. It states that tourism development will also be supported, in particular the development of green tourism making the most of the area's important natural and built environments.

Policy CS2 of the Core Strategy provides a sequential approach in support of the delivery of the spatial strategy set out in policy CS1. It states that any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted, and that only development which is essential to the functioning of the countryside will be allowed to take place. The policy clarifies that this includes uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

Through policy CS3 of the Core Strategy, the council has identified a number of settlement boundaries throughout North Lincolnshire. The application site lies beyond the settlement boundary for Ealand as defined in the Housing and Employment Land Allocations DPD.

Policy CS8 of the Core Strategy deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus.

Given the site's location within the countryside, the provision of new housing would generally be considered to be unacceptable. Policy RD9 of the local plan supports the conversion of rural buildings in the open countryside for residential use. It states that such developments will only be permitted if:

- (i) the building is of architectural or historic importance to the rural scene and is of substantial and permanent construction capable of conversion without major alteration;
- (ii) it can be demonstrated that residential re-use or adaptation is the only way to retain a building in viable continued use and/or secure the retention/improvement of the building; and
- (iii) the development will not create a need for new buildings to house activities displaced by conversion;
- (iv) the general design of the conversion retains and respects the original character of the building and is in keeping with its surroundings. Any extension should respect the scale and appearance of the original building; and
- (v) the development will not lead to the loss of habitat for protected species.

The former barn was simple in its design, of metal frame construction with metal and asbestos sheeting. The main body of the barn had a pitched roof, with an addition to the west of a Dutch barn style. It is considered that the building in its previous state possessed little architectural or historic interest and was not an important contributor to the rural scene in this location.

The supporting documents indicate that the building consisted of a steel portal frame sat on a raft foundation with asbestos sheeting to the roof and rotten steel sheeting to the external walls, which the statement notes was 'too far gone to be saved'. The statement confirms that the steel frame and floor slab are the elements retained from the building, with new roof sheeting, wall cladding and brickwork installed.

The planning history of the application site is a material consideration. In granting application PA/2019/422 it was considered that the scope of works, which have been largely implemented on site, were reasonably necessary to facilitate the conversion of the building to use as a dwelling. In this context, the works undertaken on site are not considered to amount to major alterations which policy RD9 seeks to exclude.

Paragraph 12 of the NPPF maintains the development plan as the starting point for decision-making. It states that where a planning application conflicts with an up-to-date development plan permission should not normally be granted. It states that local authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.



Paragraph 224 of the NPPF states that the policies in the Framework are material considerations which should be taken into account in dealing with applications. Paragraph 84 of the NPPF indicates that planning policies and decisions should avoid the development of isolated homes in the countryside, unless one or more of a limited number of circumstances apply. One of these circumstances is where the development would re-use redundant or disused buildings and enhance its immediate setting.

Paragraph 84 of the NPPF is therefore considered a relevant policy in determining the application and is supportive of development involving the re-use of redundant and disused buildings and which enhances its immediate setting. Despite the small degree of conflict with policy RD9 of the local plan, the site's planning history is a material consideration, which in this instance, in light of the approach contained within the NPPF, is considered sufficient to justify granting planning permission. On balance, the principle of the development is considered to be acceptable as a minor departure from the development plan and would result in a similar development to that approved under application PA/2019/422.

### **Design and impact on the character and appearance of the area**

Policy DS1 of the local plan seeks to ensure that proposals are sympathetic in design, scale and materials to the existing dwelling and its neighbours, and seeks materials and finishes that do not contrast markedly with those of the original building or neighbouring properties.

Policy H5 of the local plan provides a number of spatial and design criteria with which new development will be expected to conform. Amongst those are requirements for development to be in keeping with the character and scale of the settlement, designed to ensure the conservation and retention of features of particular architectural, historic or archaeological interest, or important features which make an important contribution to the character of the site and surrounding area, and where appropriate or necessary provide substantial and suitable landscaping.

Policy H8 of the local plan states that new residential development will be permitted provided that it meets a number of requirements, including that it respects and reflects the form, scale, massing, design and detailing, materials and nature of the local environment.

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for their context, and that it should contribute to creating a sense of place. The policy goes on to state that the council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. The policy states that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

The NPPF seeks to ensure the creation of high quality, beautiful and sustainable buildings and places, stating that this is fundamental to what the planning and development process should achieve. Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The design and appearance of the new dwelling would be similar to the design presented as part of application PA/2019/422, which was considered acceptable and was viewed to maintain the external appearance of the former barn. The proposed development differs slightly in its use of materials and arrangement of openings. The building as constructed

utilises darker metal cladding than the previous application proposed, which better reflects the appearance of the original barn. Works undertaken so far have been done to a high standard, and officers are satisfied that upon completion the development would enhance the immediate setting of the building.

A condition is recommended to remove permitted development rights for any further extensions or outbuildings to ensure that the open character of the site and quality of the development is not diminished through future alterations.

Consistent with the conclusions reached in the determination of application PA/2019/422, the proposed conversion of the building is considered acceptable in terms of its design. Subject to conditions, the proposals would be in accordance with the requirements of policies DS1, H5 and H8 of the North Lincolnshire Local Plan, policy CS5 of the North Lincolnshire Core Strategy and the aims of the NPPF.

### **Residential amenity**

Policy DS1 of the local plan seeks to ensure suitable standards of amenity for existing and future residents and users, and states no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that, amongst other requirements, developments create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The application site is in a remote area and as such would enjoy open outlook and unrestricted views over countryside to the east. The arrangement of openings, coupled with the position of the building, would ensure that adequate privacy is maintained for occupants of neighbouring dwellings and occupants of the proposed barn conversion.

Whilst properties at the site are relatively close to one another, given their location within the countryside it is considered that suitable standards of living accommodation would be maintained and provided for future occupants.

The building is close to the railway line which provides passenger rail services between Doncaster and Scunthorpe. Services along the line have been reduced, and officers observed passing trains during a site visit. Whilst these observations were a snapshot in time, based on current timetables and the very low passing noise levels at the site, it is considered that noise disturbance would be unlikely to give rise to adverse impacts upon the amenity of future occupants of the dwelling.

The application has been supported by detailed land contamination information which identifies potential risks associated with ground gases and provides mitigation recommendations to be incorporated into the development. As development has progressed on site these measures have been incorporated into the scheme, with the application supported by validation/verification reports confirming ground gas protection systems have been installed.

The council's Environmental Protection team have been consulted on the application and raise no objections to the proposed development. Based on the information provided as part of this application, it is considered that appropriate mitigation has been incorporated into the

development which would protect the amenity and health of occupants of the proposed dwelling.

In light of the above, the proposed development is considered to be acceptable in accordance with policies DS1 and H5 of the North Lincolnshire Local Plan, and the aims of paragraph 135 of the NPPF.

### **Highway safety**

Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T1 of the local plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the local plan states that all proposals should be provided with a satisfactory access, whilst policy T19 relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 of the Core Strategy seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

The application has been assessed by the highway authority, who raise no objections to the proposed development. In the absence of any objection from the highway authority, the proposals are considered acceptable in terms of highway safety and would provide adequate parking and manoeuvring space in accordance with the requirements of policies T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the North Lincolnshire Core Strategy and the aims of the NPPF.

### **Flood risk and drainage**

Policy CS19 of the Core Strategy, which sits alongside policy DS16 of the local plan, is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere.

Policy DS14 of the local plan states that the council will require satisfactory provision to be made for the disposal of surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

The application site is within flood zone 2/3(a) and is therefore at a higher level of risk in terms of flooding. The application has been supported by a flood risk assessment, which outlines measures incorporated within the development. These include flood resilient construction techniques, and the restriction on the provision of bedroom accommodation at ground-floor level.

The Environment Agency has been consulted on the application and raises no objections to the proposed development, subject to a condition requiring the measures presented in the flood risk assessment to be incorporated into the development. Similarly, the LLFA/Drainage team raise no objections to the proposal.

Subject to accordance with such a condition, the proposals would be considered acceptable in terms of flood risk, in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, policy CS19 of the North Lincolnshire Core Strategy and the aims of the NPPF.

## **Conclusion**

Planning permission is sought to retain a barn conversion undertaken following the approval of application PA/2019/422. As works were not completed within three years in accordance with the requirements of the GPDO, the applicants are seeking planning permission to regularise the breach of planning control.

Whilst there would be a small degree of conflict with the development plan, the planning history for the site provides a significant material consideration which weighs in favour of the development. In this instance the development is similar to the scheme approved as part of application PA/2019/422, with the external finish considered to be an improvement over and above the original design proposed for the site. Overall, the provision of one dwelling would introduce some benefits.

There are no technical objections to the scheme from consultees. Subject to conditions, members are advised to give weight to the planning history for the site as a material consideration and grant planning permission as a minor departure from the development plan.

Planning conditions are recommended to remove permitted development rights for alterations, extensions and outbuildings to preserve the character and appearance of the building and openness of the area, and to ensure compliance with the approved plans and mitigation measures outlined in the flood risk assessment. As the development has already commenced, a condition requiring implementation within three years of the date of the decision is not necessary.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location & Block Plans PL/23/01 – Amended plan received 25/01/2024
- Proposed Plans & Elevations PL/23/02
- Proposed Elevations PL/23/03.

Reason

For the avoidance of doubt and in the interests of proper planning.

2.

The development shall be carried out in accordance with the submitted flood risk assessment (FRA) ref: '10595/TW/001/03', prepared by Sanderson Associates, dated February 2019 and the following mitigation measures it details:

- flood resilient construction should be incorporated into the property to a level of 4.4 metres above Ordnance Datum as stated in section 6.2 of the FRA

- flood resilience measures should be implemented as detailed in section 6.3 – 6.9 of the FRA
- no bedrooms should be located at ground floor level as stated in section 6.10 of the FR.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

#### Reason

To reduce the risk of flooding to the proposed development and future occupants, and to reduce the impact of flooding should it occur in accordance with policy CS19 of the North Lincolnshire Core Strategy.

#### 3.

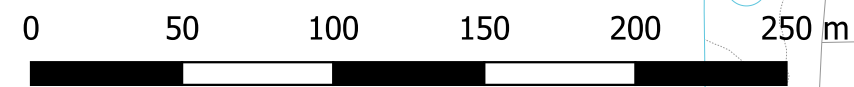
Notwithstanding the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any other Order revoking or re-enacting that Order, no further extensions, openings, boundary enclosures, outbuildings or other alterations to the dwelling hereby approved shall be undertaken unless planning permission has first been granted by the local planning authority.

#### Reason

To ensure a high quality design which preserves the character and appearance of the site and surrounding area, in accordance with policy CS5 of the North Lincolnshire Core Strategy.

#### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



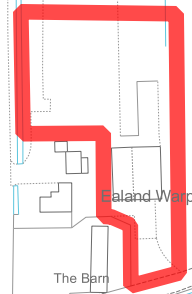
North and South Cross Moors Road Drain

Drain

South Cross Moors Road

Drain

Page 176



Ealand Wappings

The Barn

Ealand Road

2.1m

North Soak Drain

Sheffield & South Yorkshire Navigation  
Stainforth & Keadby Canal

MP.0.75

1.4m

Bonnyhale Road

Drain

2.6m

Sluice

South Soak Drain

Drain

Drain

**North  
Lincolnshire  
Council**

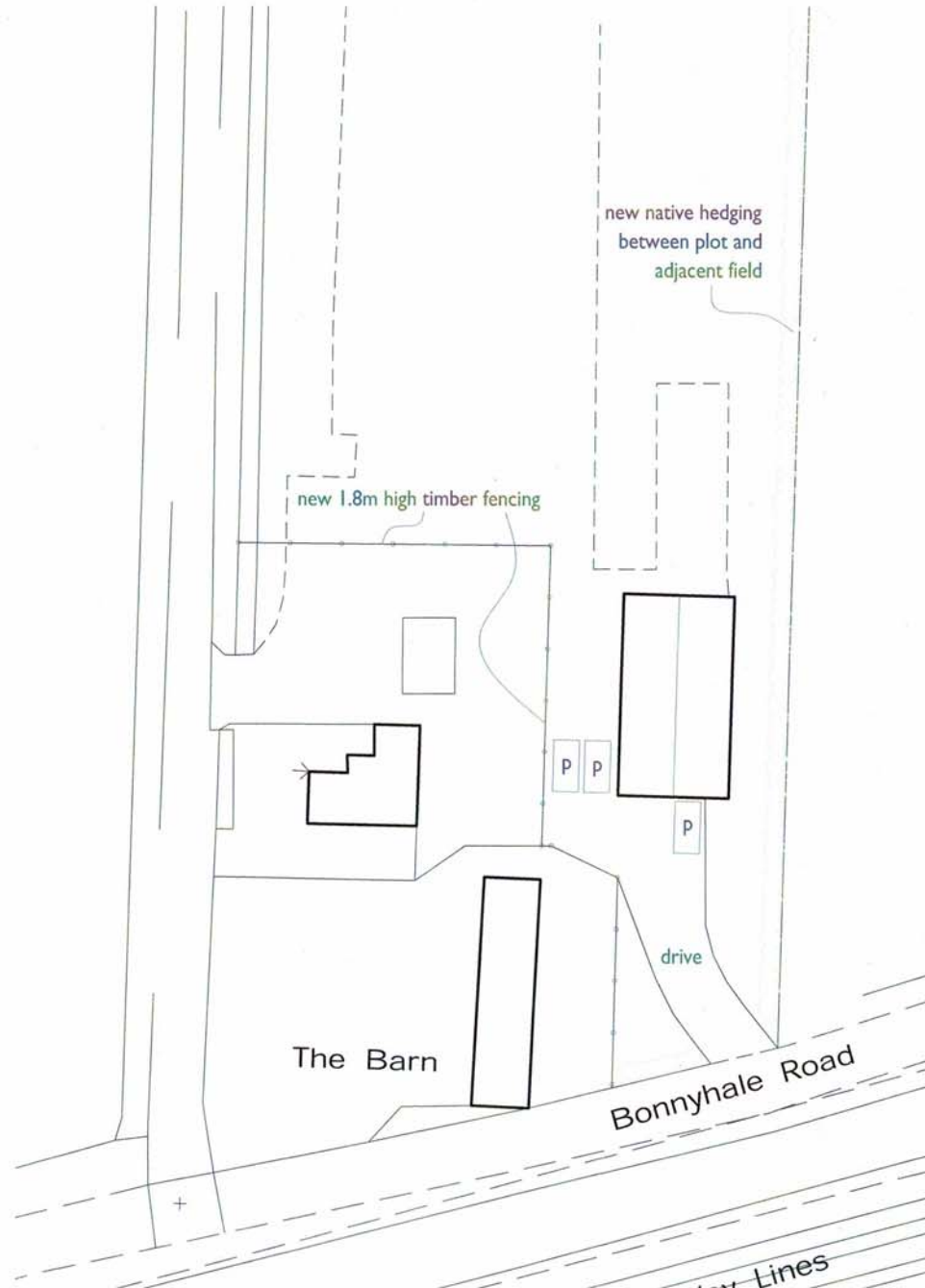
# PA/2023/1862 Site layout (not to scale)

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**LOCATION PLAN 1:1250**



**BLOCK PLAN 1:500**

**JEM MANAGEMENT SERVICES**  
45 Crowth Road  
Scunthorpe  
North Lincolnshire  
DN15 7PN  
M - 07764922416  
E - jem.manservices@btconnect.com  
W - www.jemmanagementservices.co.uk

Client:  
Mr & Mrs M Foster - The Burrow  
Bonnyhale Road, Ealand, DN17 4DF

Project:  
Proposed Barn Conversion

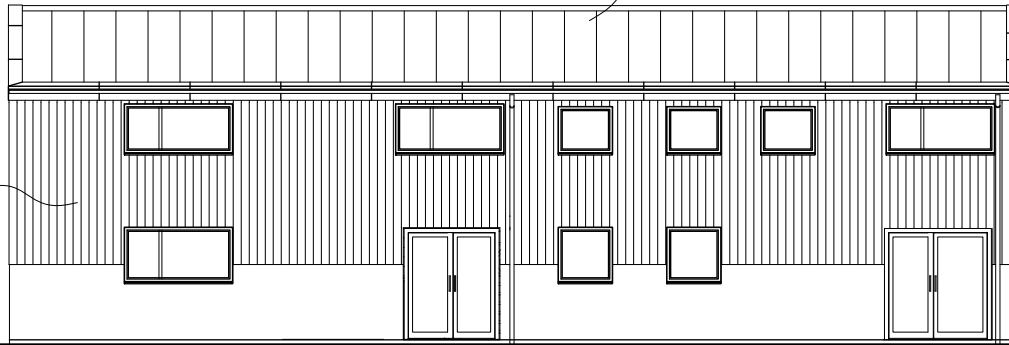
Drawing title:  
Location & Block Plans

Drawn by:	Date:	Scale:
NwP	18.11.2023	as shown @ A3
Drawing No:		Rev:
PL / 23 / 01		

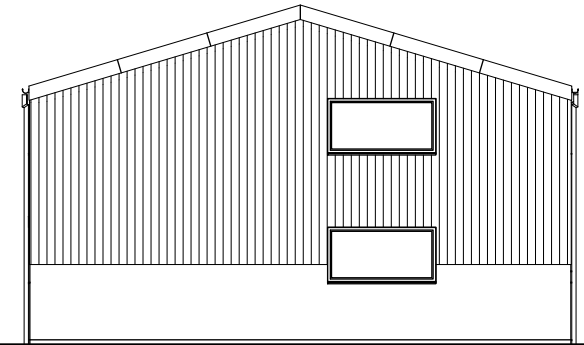
# PA/2023/1862 Proposed elevations (not to scale)

big 6 lookalike steel roof  
sheeting in grey

composite wood  
effect vertical  
cladding in black

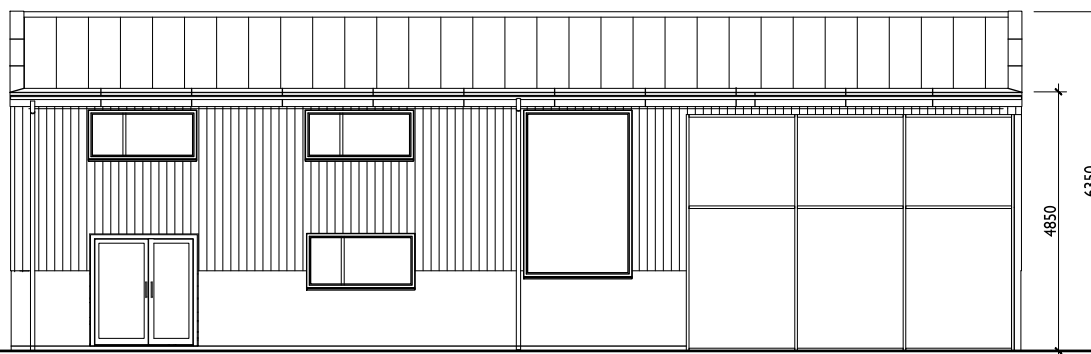


West Elevation (front)



South Elevation

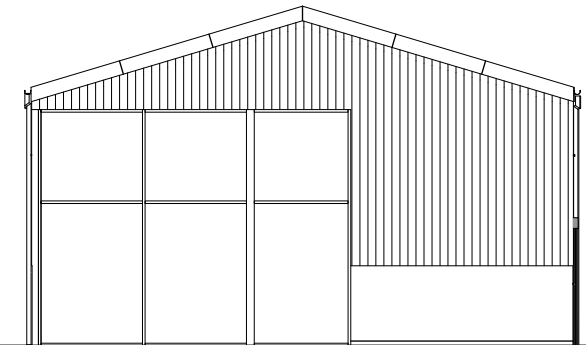
Page 178



all windows and door  
in anthracite aluminium

East Elevation

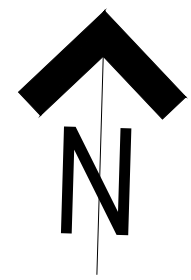
## PROPOSED HOUSE ELEVATIONS 1:100



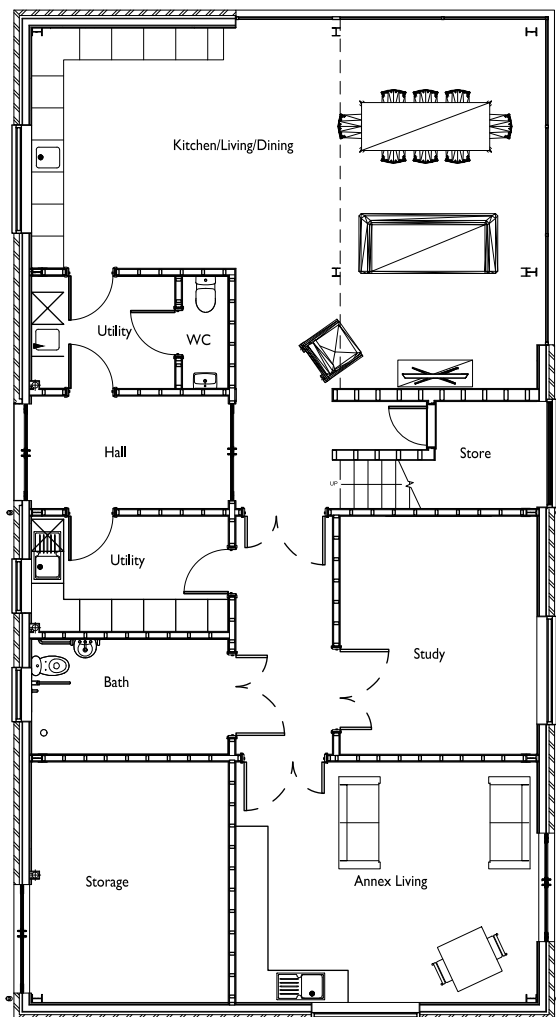
North Elevation

<b>JEM MANAGEMENT SERVICES</b>		
45 Oswald Road Scunthorpe North Lincolnshire DN15 7PN		M - 07764922416 E - jem.managementservices@btconnect.com W - www.jemmanagementservices.co.uk
client: Mr & Mrs M Foster - The Burrow Bonneyhale Road, Ealand, DN17 4DF		
project: Proposed Barn Conversion		
drawing title: Proposed Elevations		
drawn by: NwP	date: 18.11.2023	scale: 1 / 100 @ A3
drawing No: <b>PL / 23 / 03</b>		for:

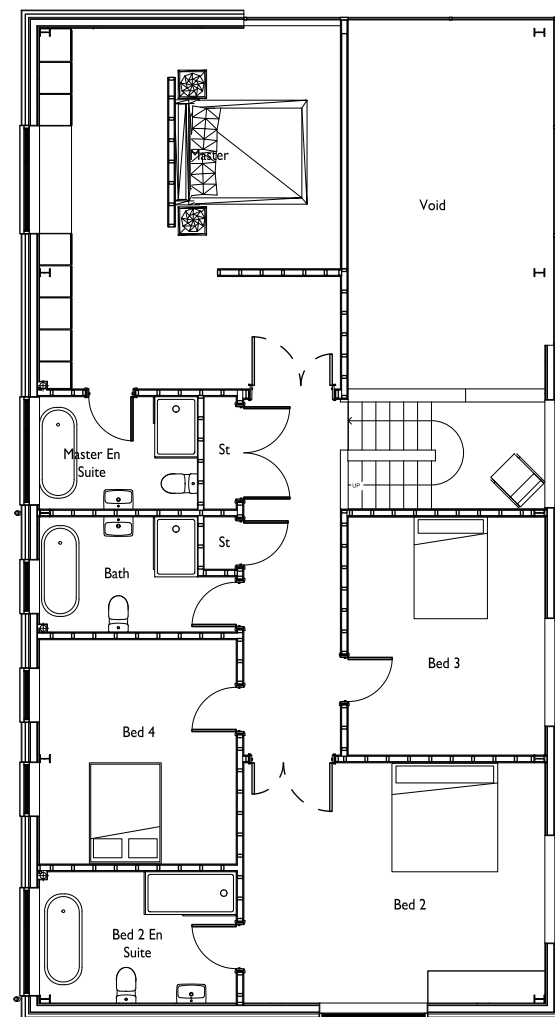




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Ground Floor Plan  
**PROPOSED PLANS 1:100**



First Floor Plan

**JEM  
MANAGEMENT  
SERVICES**

45 Oswald Road Scunthorpe North Lincolnshire DN15 7PN M - 07764922416 E - jem.manservices@bsconnect.com W - www.jemmanagementservices.co.uk

client:  
 Mr & Mrs M Foster - The Burrow  
 Bonneyhale Road, Ealand, DN17 4DF

project:  
 Proposed Barn Conversion

drawing title:  
 Proposed Plans & Elevations

drawn by: NwP	date: 18.11.2023	scale: 1 / 100 @ A3
drawing No: <b>PL / 23 / 02</b>		floor:

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<b>APPLICATION NO</b>	<b>PA/2023/1975</b>
<b>APPLICANT</b>	Mark Bodle
<b>DEVELOPMENT</b>	Planning permission to erect a two-storey side and rear extension and alterations
<b>LOCATION</b>	3 Belton Gate Villas, Belton Road, Epworth, DN9 1JW
<b>PARISH</b>	<b>EPWORTH</b>
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Departure from the development plan

## **POLICIES**

### **National Planning Policy Framework:**

12 Achieving well-designed and beautiful places

16 Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

DS1 General requirements

DS5 Residential extensions

RD2 Development in the open countryside

RD10 Replacement, alteration and extensions to dwellings in the open countryside

### **North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022.

Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

DM1 General requirements

TC2 Placemaking and good urban design

RD1 Supporting sustainable development in the countryside

H8 Replacement, alteration and extensions to dwellings in the open countryside

**SPG1 Design guidelines for home extensions**

## **CONSULTATIONS**

**Highways:** No objection or comments.

**LLFA Drainage:** No objection or comments.

**Archaeology:** The site is within the Area of Special Historic Landscape Interest (ASHLI) of the Isle of Axholme (local plan policy LC14). The application site is in a well-preserved area of the core historic landscape in the Ancient Open Strip Field character area in a highly visible location with the landmark water tower to the rear. The proposed development will have minor adverse effects on the setting of the ASHLI.

No objection subject to standard conditions securing the use of appropriate traditional building materials in accordance with policy LC14 and paragraph 140 of the NPPF (2023). No objection subject to standard conditions removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area at the rear of the dwelling.

## **TOWN COUNCIL**

Support the application.

## **PUBLICITY**

A site notice has been displayed; no comments have been received.

## ASSESSMENT

### Planning history

There is no relevant planning history

### Site and proposal

The application site comprises a two-storey, semi-detached dwelling on the eastern side of the A161 (Belton Road) to the north of Epworth. The dwelling is constructed from a brown/reddish brick and a red plain tile, and it has a single-storey flat-roofed extension to the rear. The dwelling is within a row of semi-detached and large detached houses outside the defined settlement boundary for Epworth and Belton (within the open countryside), and the water tower is visible directly to the rear (to the east). Planning permission is sought to erect a two-storey extension to the side and rear of this dwelling, together with a porch extension to the front and other associated external alterations.

**The main issues in the determination of this application are the principle of development (incorporating design) and residential amenity.**

### Principle (incorporating design)

This application is for the erection of a two-storey extension to the side and rear of this semi-detached property. The house is outside the defined settlement boundary for both Belton and Epworth, within the open countryside. Therefore, policy RD10 of the North Lincolnshire Local Plan applies and sets out the criteria for extensions to properties in the countryside. Policy RD10 states that proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

- the volume of the proposed extension or alteration does not exceed that of the original dwelling by 20%, exclusive of the normal permitted development rights, and the original dwelling forms the dominant visual feature of the dwelling as extended;
- all new construction is of a high standard of design and in particular reflects the architecture of the building and/or vernacular styles in the locality; and
- the appearance or use of the dwelling as replaced, extended or altered will not adversely affect the amenity of local residents or the appearance of the locality.

In this case it is acknowledged that the proposal represents significantly more than 20% additional volume (119%) to the existing dwelling and will add significantly more than the 20% additional volume allowed by policy RD10 of the North Lincolnshire Local Plan. Notwithstanding the volume permitted under policy RD10, this doesn't take into account permitted development rights and the applicant could therefore extend the property by a significant amount if they chose to exercise those rights. The intention of this policy and the volume restriction set out within it is to protect the character of the open countryside.

However, the proposed extensions are to be located to the side and rear of the dwelling, which means that the extension proposed to the rear will be screened from view by both the principal elevation of the existing house and by the extension proposed to the side. The extension proposed to the rear has a gable roof which projects from the ridge line of the existing house (at a depth of 5 metres), but the plans show it will not be visible above it when viewed from the public highway (A161) to the west. However, it is worth noting the applicant

could utilise their householder permitted development rights, which would allow for the erection of a ground-floor extension to the side of the dwelling to a maximum height of 4 metres, its width no more than half the width of the existing house (which would equate to 2.75 metres); the addition of a porch to the front (up to 3 square metres); and an extension at ground floor to the rear no more than 3 metres in depth.

The most visible extension is that proposed to the side which will provide a garage at ground floor and a bedroom with two en-suites at first floor, and also features a hip to gable roof extension to facilitate this. The plans show this extension will be erected up to the boundary with 2 Belton Gate Villas to the south; due to the tapered shape of the boundary, this extension will be further away from the party boundary as it projects deeper into the applicant's garden. The neighbour to the south (2 Belton Gate Villas) will retain their driveway to the side so a terracing effect will not occur as a result of the proposed two-storey side extension.

This side extension will result in the addition of a hip to gable roof extension which has the potential to unbalance the pair of semi-detached houses; however, such an extension can be undertaken under householder permitted development rights without the need for planning permission in that regard. This extension, whilst to the side of the dwelling, will not project any further forward in the street scene; it will extend the existing ridge line to the south and, in terms of width, will be 2.29 metres less than the width of the principal elevation. In addition, it is proposed to construct this and the rear extension from materials matching the external appearance of the existing house, namely a brown brick and red roof tiles; this will ensure visual assimilation into the street scene, the rural landscape and the LC14 landscape, and aligns with the consultation response from the Historic Environment Record (HER) who has recommended the extensions are constructed from materials which match in appearance.

Views of the proposed extension from the surrounding landscape will be limited (from the public highway to the west at a distance of 21 metres) and will predominantly be of a subservient addition to the side of the dwelling. The existing property is not in a sensitive location, being in a line of housing which includes pairs of semi-detached and large detached dwellings to the south, and the proposed extension will not form a visually dominant or incongruent feature in the landscape, being viewed in conjunction with the existing built form in this part of the rural and historic landscape. It is also proposed to erect a porch to the front of the dwelling; this features a pitched roof design which will add visual interest to the front of the house and is proposed to be constructed from materials matching the external appearance of the dwelling.

In conclusion, whilst it is noted that the proposed extensions exceed the volumes permitted under policy RD10 of the North Lincolnshire Local Plan (20% additional volume), it is considered the majority of these extensions (with the exception of the front porch) are either screened by existing built form or represent a subservient addition to the dwelling, thus allowing the principal elevation and the pair of semi-detached dwellings to remain legible and visually dominant in the rural and historic landscape. The extensions are not considered to have an adverse impact on the character, appearance and setting of the LC14 landscape and will be viewed in conjunction with existing built form along the eastern side of Belton Road (A161), which includes some larger, detached dwellings to the south.

### **Residential amenity**

Given the scale, position and height of the proposed extensions, there is the potential for loss of residential amenity to neighbouring properties. The plans show the extension to the rear

will not project beyond the rear elevation of the adjoining property to the north (4 Belton Gate Villas) and its ground-floor conservatory, and as such it is not considered to result in loss of residential amenity to that property through the effects of overshadowing or having an overbearing impact. This extension is located to the south of the extension and conservatory to the rear of 4 Belton Gate Villas and as such the conservatory will retain sunlight from both easterly and southerly directions. A balcony is also proposed to serve the bedroom at first floor of this extension, and an amended plan has been received showing the installation of privacy glass at a height of 1.8 metres to both the northern and southern sides of the balcony. This is considered sufficient to mitigate any issues of overlooking and being overlooked, and a condition is recommended requiring these screens to be installed prior to first use of the balcony.

SPG1 sets out the criteria against which to assess the impact of an extension upon the living conditions of neighbouring properties, in particular upon the nearest habitable ground-floor windows. In SPG1, a 45-degree angle is applied on a horizontal axis to assess the depth of an extension and a 30 degree angle on a vertical axis to assess the height of an extension. By applying these angles to the kitchen window of 2 Belton Gate Villas, the plans show that the depth and height of the proposed two-storey extension is considered acceptable.

By applying the same tests to the nearest habitable ground-floor window of the adjoining property (4 Belton Gate Villas), it is evident that no loss of light will arise from the depth or height of the two-storey extension owing to the fact that the extension will not protrude beyond the rear elevation of the adjoining house. The plans show the applicant will retain sufficient private amenity space to the rear and off-street parking provision to the front of their dwelling.

The recommendation made in the consultation response from HER in terms of removing permitted development rights from the applicant are noted (in respect of the ability to extend or alter the existing house or for the erection of outbuildings within its domestic curtilage owing to the position of the dwelling within the rural and historic landscape). However, the extensions proposed to the dwelling under this planning application would effectively mean that any future alterations/extensions to the house would require planning permission (as the applicant would have extended to the side and rear and there would be no original walls of the dwelling to extend from under permitted development rights). It should be noted, though, that the existing garden has some permitted development rights (as in the case of neighbouring properties whose occupants can exercise their permitted development rights to develop within their domestic curtilage) and it would be unreasonable to remove those rights as it would remain as a garden belonging to the applicant with no change in how it is used (following development taking place).

## **Conclusion**

Whilst it is noted that the proposed extensions exceed the volumes permitted under policy RD10 of the North Lincolnshire Local Plan (20% additional volume), it is considered that the majority of these extensions (with the exception of the front porch) are either screened by existing built form or represent a subservient addition to the dwelling, thus allowing the principal elevation and the pair of semi-detached dwellings to remain legible and visually dominant in the rural and historic landscape. In addition, it is not considered likely the proposed extensions will result in loss of residential amenity through the effects of overlooking, loss of light or having an overbearing impact. The application is therefore recommended for approval.

**RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: MHB001, MHB002A, MHB003A, MHB004 and MHB005.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The materials and finishes of the new areas of brickwork and roof tiles for the extensions hereby permitted shall match the existing dwelling in colour and texture, and once constructed shall thereafter be retained.

Reason

To define the terms of the permission, in the interests of visual amenity and to ensure the extensions assimilate into the rural and historic landscape.

4.

Before the balcony hereby permitted is first used, its northern and southern sides shall be fitted with the 1.8 metre high screens as shown on the approved drawings, and shall be fitted with glazing to a minimum level 5 in accordance with the Pilkington Scale of Obscuration. Once installed they shall thereafter be retained.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

5.

Before the extensions hereby permitted are first occupied, the bedroom windows in the first-floor southern wall shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration, and have their cill height set at a minimum of 1.7 metres above the floor level of the bedroom, and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.





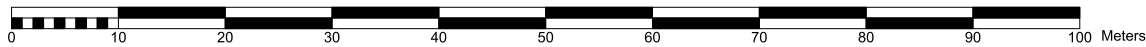
# PA/2023/1975 Proposed layout (not to scale)



Block Plan Existing

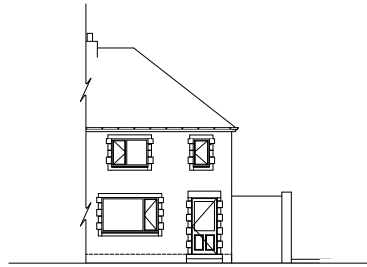


Block Plan Proposed

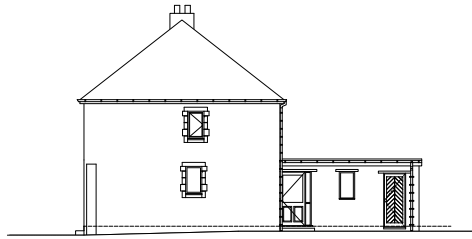


<p>Client: Mr &amp; Mrs. M. Bodle.</p> <p>Address: 3 Belton Gate Villas, Belton Road, Epworth North Lincolnshire,</p> <p>DN19 1JW</p>		<p>© Crown Copyright and database rights 2023 OS 100047474.</p>
<p>Drawing Name: Block Plans</p>	<p>Date: 10/12/2023</p>	<p>Drawn By: AAR</p> <p>Scale: 1:500 @ A3    Dwg No: MHB005</p>

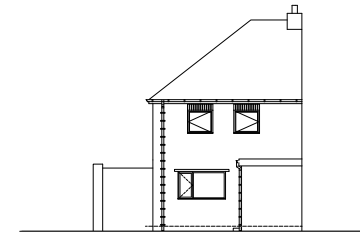
# PA/2023/1975 Existing plans and elevations not to scale)



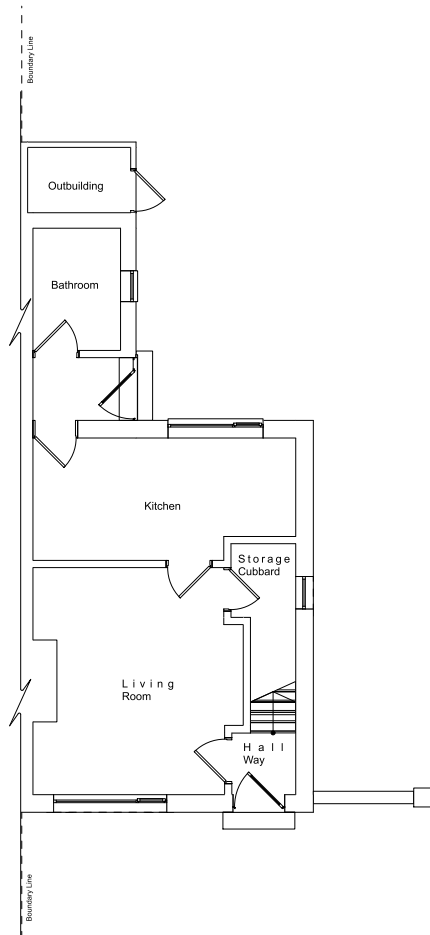
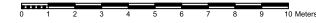
FRONT (WEST) ELEVATION



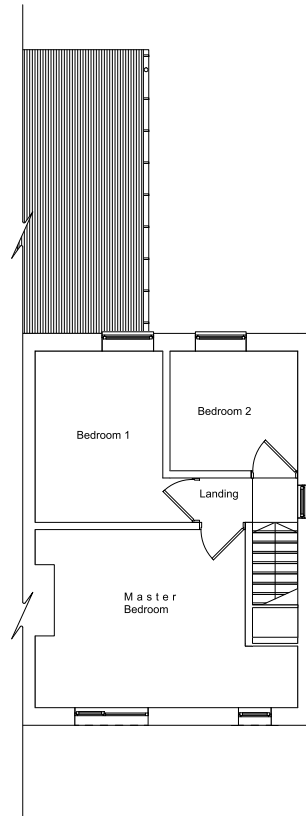
SIDE (SOUTH) ELEVATION



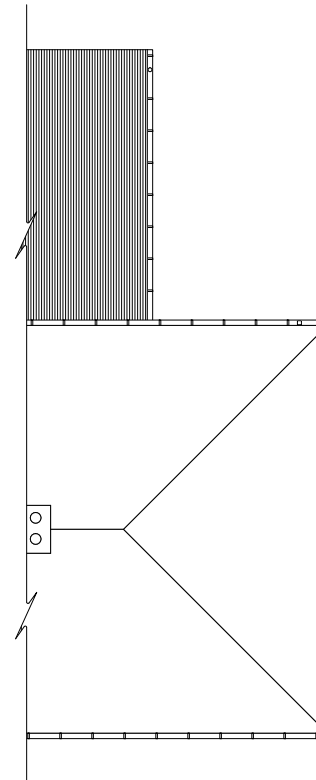
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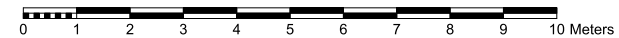
GROUND FLOOR



FIRST FLOOR



ROOF



General Notes

Use figured dimensions only. Contractor to check all dimensions and levels on site before work commences and report any discrepancies.

No.	Revision/Issue	Date

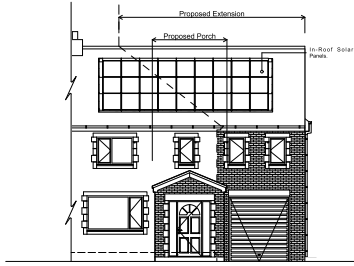
Project:  
2 Story Side Extension, Back Extension and alterations.

Client Name and Address:  
Mr & Mrs M Bodle  
3 Belton Gates Villas,  
Belton Road,  
Epworth,  
North Lincolnshire,  
DN19 1JW

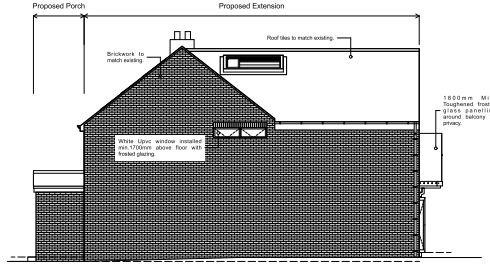
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Date: 22/11/2023	Dwg No: MHB001
Scale: 1/50 & 1/100	Drawn By: AAR

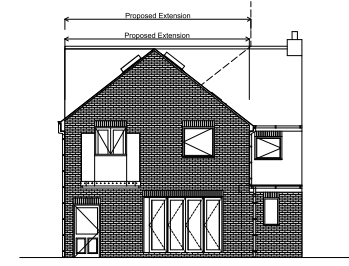
# PA/2023/1975 Proposed elevations (not to scale)



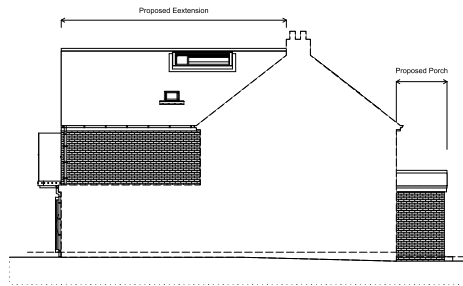
FRONT (WEST) ELEVATION



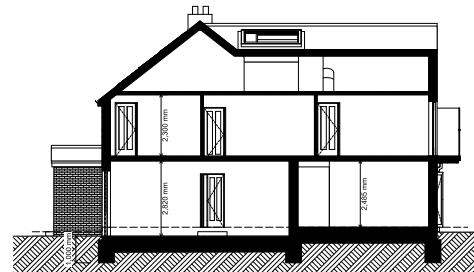
SIDE (SOUTH) ELEVATION



BACK (EAST) ELEVATION



SIDE (NORTH) ELEVATION



A1 - A1 SECTION



**General Notes**

Use figured dimensions only. Contractor to check all dimensions and levels on site before work commences and report any discrepancies.

No.	Revision/Issue	Date
A	Rear Balcony altered to add Frosted Glazing.	12/01/2024

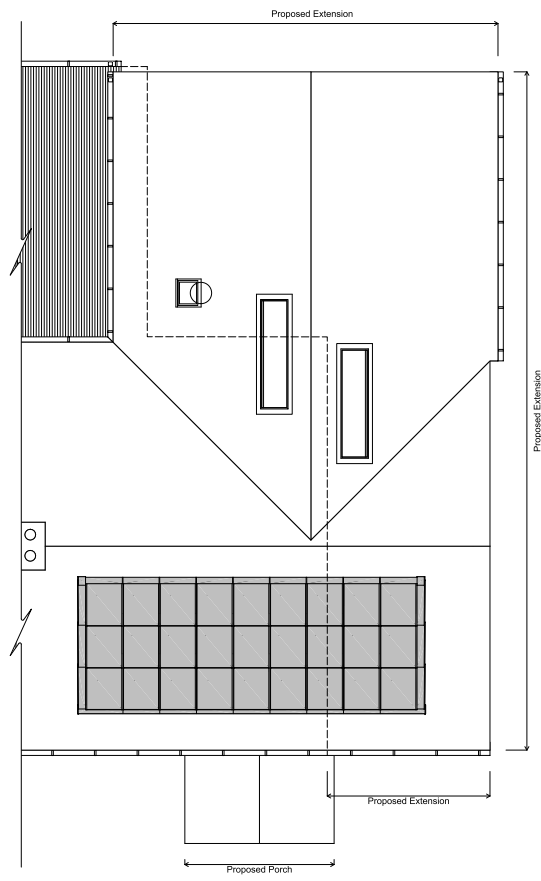
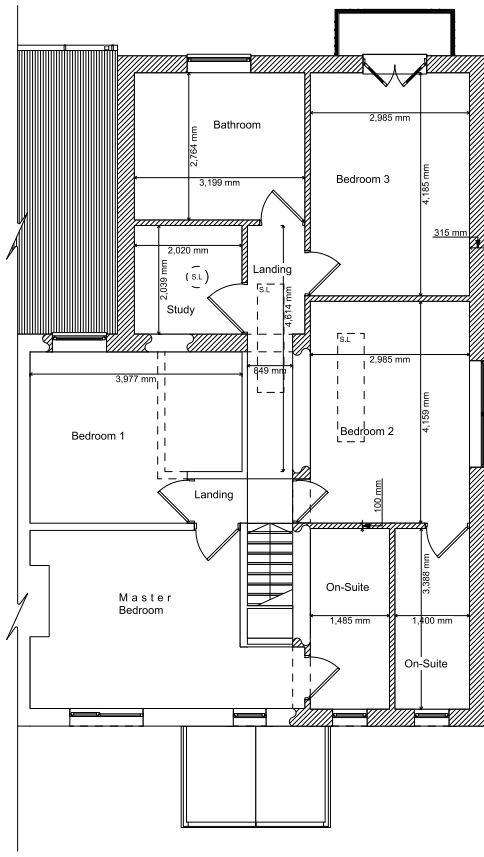
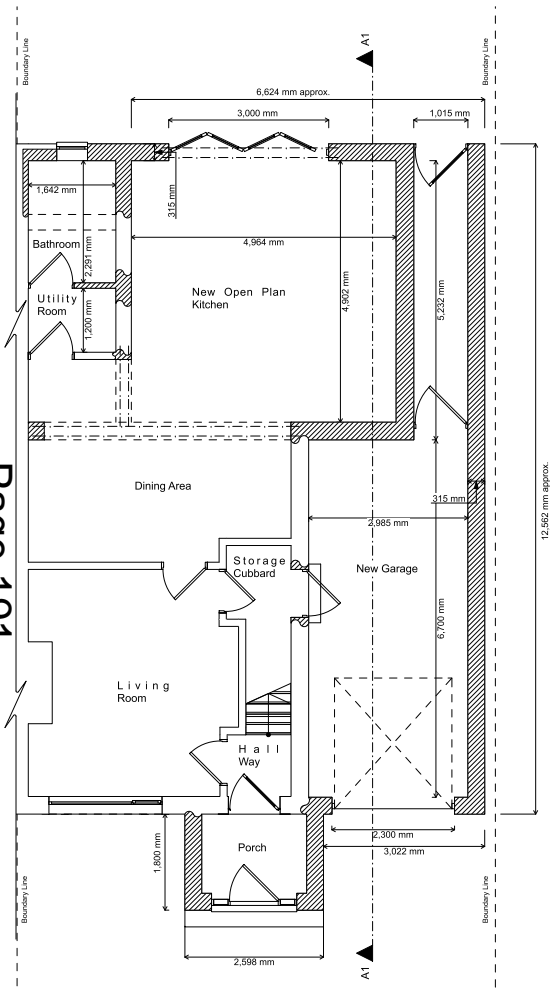
**Project:**  
2 Story Side Extension, Back Extension and alterations.

**Client Name and Address:**  
Mr & Mrs M Bodle  
3 Belton Gates Villas,  
Belton Road,  
Epworth,  
North Lincolnshire,  
DN19 1JW

Title:		
Design Dwg - Elevations and Section		
Date:	Dwg No:	
22/11/2023	MHB003A	
Scale:	Paper Size:	Drawn By:
1/100	A1	AAR

# PA/2023/1975 Proposed floor plans (not to scale)

Page 191



General Notes

Use figured dimensions only. Contractor to check all dimensions and levels on site before work commences and report any discrepancies.

No.	Revision/Issue	Date
A	Rear Balcony altered to add Frosted Glazing.	12/01/2024

**Project:**  
2 Storey Side Extension, Back Extension and alterations.

**Client Name and Address:**  
Mr & Mrs M Bode  
3 Belton Gates Villas,  
Belton Road,  
Epworth,  
North Lincolnshire,  
DN19 1JW

**Title:**  
Design Dwg - Floor and Roof Plans

Date: 22/11/2023	Dwg No: MHB002A
Scale: 1/50	Paper Size: A1
Drawn By: AAR	

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